

Fragments
of
Politics and History.

BY M. MERCIER.

TRANSLATED FROM THE FRENCH.

IN TWO VOLUMES.

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ADVERTISEMENT

BY

THE AUTHOR.

I BEG my Readers to recollect, at each *article*, the *title* of this work; for neither have I found myself capable, nor have I the ambition to compose what is called a *system* of government. To sacrifice every thing to the *system* which they frame, is the ordinary procedure of almost all political writers. It has not been mine: I have chosen merely to deliver in an independant manner my ideas on the subjects which so mightily interest us at present; I have contrived that facts should some-

times support opinions, and that reflections should rise out of facts. When every one contributes what he knows, he serves his country.

It must not, however, be presumed, that each *article* is distinct, and entirely unconnected with the rest; amidst all this disorder, real or apparent, an unity will be found in my political principles; it will at least be seen what are my predominant ideas. I flatter myself that I shall always appear the sincere friend of humanity, of liberty and equality. I aspire to no other praises.

All these pieces are not new: I have taken care to collect those which had most affinity with the immediate subjects of debate; and there are many others which I have merely retouched. It is not difficult to conceive that the revolution, of which I am a decided partisan, has given them a new tincture. He who advances not, retrogrades: nothing

thing is more certain than this axiom, especially in the science of politics.

Politics constitute the morality of nations ; and taken in the most extensive view, signify the knowledge of the means best adapted to frame laws evidently beneficial to the community. Laws are at last established for the French ; they fought them in vain from their kings, who only issued commands.

These fragments were composed nearly at the time when I published the *Portraits of the Kings of France**. The French constitution was yet a dream ; and it then appeared to me a problem difficult to decide, among the different kinds of government, which is preferable with respect to the happiness and tranquillity of nations. As natural policy, however, is immutable, and can invariably be applied to the immediate

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state of empires, it will be perceived that, amid a few errors, then unavoidable, I shall be found to have forcibly and obstinately contended for true principles. If we have lately created and circulated an artificial property more precious than gold, it will be found, that I published an address to the *Constituent Assembly* long before the decree they enacted for this purpose, and conformable to its spirit.

What I here publish is therefore a collection of all my antecedent ideas on political economy, which so many writers on the nature of government have perplexed with obscure refinements: I have endeavoured to throw some light on the subject. As I have ever affirmed that names govern more than things, I have made it my particular endeavour to efface in my mind all the denominations habitual and familiar to politicians, the better to recognize, if it were possible,

ble, the *primitive elements* of all governments, and to determine whether each of them changed at different epochs and thence deserved a particular name.

How eminently attracting are these grave studies which comprehend the rights of men! I have felt, in composing these different pieces, the most exquisite rapture from the persuasion that I should banish oppression, by my writings, from the face of the earth, and should unite every arm against tyrants of every kind. The cultivation of these studies, which tend to the noble regeneration of the human species, enlarges our mind, and extends the circle of our benevolence. No delight is purer, no sentiment is more consoling, than this which whispers that we may occasionally contribute to the liberty and happiness of our fellow creatures: Thus has God appointed the most ravishing joys to reside in the practice of the social virtues, and even in the theory

of these engaging and important ideas. I advise every writer to apply himself to this subject ; he will soon be convinced, that the science which instructs men to live in society has profounder charms than polite literature. Morality and politics are sciences which blend themselves with that of legislation, or rather constitute with it one science alone ; their benefits are daily exercised ; and they deserve, therefore, the preference above all the rest. I repeat it : the heart which shall take that direction, will be rewarded even by the exercise of its happy toils.

I have long weighed these words of Rousseau : “ The science of government,” says he, “ is merely a science of combination, of application, and of exception, according to times, places, and circumstances.” This passage has been the polar-star, to direct my opinion in the most perplexing questions. I conceive, therefore,

therefore, that we have framed laws suited to our present condition.

The political machine goes on notwithstanding its irregularities, on this account that the tie which binds men is the strongest imaginable ; and because the harmony of society depends not on certain laws delivered with a supercilious air. Fundamental principles are not deranged by a few shocks ; and many defects do not yet affail public prosperity. Society rests upon natural laws ; and all that I have written tends to destroy the innumerable errors occasioned by the words hitherto employed by politicians, and to bring back to their luminous bases the vague principles of the science of politics.

Governments are no other than human associations, and these fluctuating associations ought to reject all those terms which mislead, because they are extremely inadequate to the expression
of

of the relations, the shocks, and variations of states, as well as of what they gain, or what they lose, in force, in liberty, and in happiness. I have attached, in this Collection of Fragments, the erroneous denominations by which the bulk of men, ever averse to reasoning, have been blinded, with respect to the true condition of nations.

THE AUTHOR.

ADVERTISEMENT

BY

THE TRANSLATOR.

AT a crisis when all the states of Europe are threatened with political changes and convulsions, resulting from new doctrines and new theories on government and legislation, the sentiments of a great and celebrated writer, who shuns each extreme, and is the blind partisan of no cause, are of extreme importance. The production, a translation of which is now submitted to the Public, is from the pen of the author of the Picture of Paris, and of several other works which have acquired him a high reputation. In those of the fragments in which he has handled the various subjects of polity and legislation, he displays much historical learning: the facts he has separated from ancient and

and modern records, he converts, by the novel and just inferences he draws from them, into lessons for kings and nations, as bitter against untried theories which are not warranted by any experience, as he is against ancient abuses which no custom can fairly authorize. The suggestions that have given rise to many of the best regulations of civil polity embraced by the French revolutionists will be found in this work, at the same time that its author, in examining the measures of these new legislators, finds much to reprehend. Throughout the whole of the fragments a genuine philanthropy is manifested, and the cause of the oppressed boldly asserted. The translator will only add, that those who are the best informed in history, will find, in the facts brought forward in this work, a mass of extremely curious information, conveyed in a diction at once nervous and agreeable.

Jan. 15, 1795.

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P R E F A C E.

NOTWITHSTANDING a celebrated English writer says, “ No book was ever spared out of tenderness to its author,” I conceived, that out of respect to the Public, and through the hope of conciliating indulgence, I should say a few words by way of apology, for a work ushered into the world, with all its “ imperfections on its head.” To deprecate criticism would be needless—I am beneath it—The lightening falls on the lofty fane, but passes over the trembling reed without touching it—I will not conceal it—I hope to please
and

PRÉFACE.

and interest—But it is as fair to confess, that this work was composed at such intervals, and under such circumstances, as would even damp the sparks of real genius. When I first proposed this undertaking to myself, I fondly hoped, that I should give satisfaction; at least, under this pleasing impression, I weighed anchor, and bent my sails; but scarce had I quitted the shores, when I met with adverse gales and quick-sands, and it was with difficulty I got into port. To drop the figure, when I took up my pen, I flattered myself that I should have a little leisure to review my past life, to arrange my anecdotes, and above all, to do justice to the memory of those who had sunk into the grave, and who had served me in their life-time, but I was soon awakened from this pleasing dream. I then hoped I should experience more success when I got into my native element—the sea. I heard a friend of mine

mine once say, that the simple, unaffected narrative of Robinson Crusoe, had more seamen than any other book in our language. If this is the case, said I to myself, I shall have an opportunity of painting the glories of a naval engagement, and the pleasures of the sparkling glass. When the thunder of the British cannon sunk into silence, and the storm expanded into a calm; but before I could accomplish this desirable object, I found this work, swelled beyond its intended limits. I cannot, however, omit this opportunity of my sincere thanks to my subscribers, through the medium of whose favour I have been enabled to present this feeble production to a generous public, and shall feel myself amply repaid, should any one of my readers, instructed by my misfortunes, be enabled to avoid those shelves and rocks on which I have been so often thrown by my imprudence.

Felix quem faciunt aliena pericula cautum.

FRAGMENTS.
OF
POLITICS AND HISTORY.
SOCIETY.

ARISTOTLE terms man a political animal, that is, an animal living in society and reproducing the gifts of nature, capable of improvement, and consequently endowed with a susceptibility of the social virtues.

Nature adopts society, and even makes it an almost universal law. Far from degenerating in that state, man becomes stronger, and protracts his existence; and if a few individuals be crushed at the base of the pyramid, the bulk of the race enjoys life with more quiet and convenience.

Society is not an arbitrary or fortuitous institution, but founded on the natural ties which unite man with his fellow creatures. It is observed, that those species of animals are the hap-

pest which herd together. Thus bees, ants, and beavers seem to possess the greatest share of enjoyment.—The solitary beaver loses its sagacity and dexterity: and it is so with man.

But what advantage has a large society over a small one? An extensive empire is preferable to a petty state in this respect, that it restrains a greater number of men from quarrels and pretensions, the unavoidable consequences of the formation of society.

It has not the inconvenience of small states, which, in their collision, present a larger surface to the fury of discord. The more you parcel out the empire, the more quarrels you will breed. The mutual limits, being more contracted, will occasion a greater number of opposite interests; each district will form a sort of republic, actuated by a different spirit. Hence will arise endless wars; faction and rancour will become frequent in neighbouring cities whose interests are disunited; each party will repeatedly change its views, its masters, its standards. The human passions, more easily kindled, will have a more lasting fuel; and a perpetual agitation will be the fruit of the subdivision of empires.

The man of ambition (and such there are in every country) will no longer be restrained by a

power which forbids him every hope : he will dare to rear his head, and wield the instrument of death. The mighty body, which, by its ponderous mass, crushed and stifled every violent scheme, now broken into a multitude of political bodies, will have a greater number of masters, and thence more frequent disputes. The flames of war will blaze forth in each of these little states, and produce accumulated miseries.

In a large government, the theatre of murders is erected on a distant spot, and the heart of the kingdom enjoys tranquility : The repercussion of war is hardly felt, and every man sleeps without apprehension of beholding his walls scaled, his house a prey to flames, and his children butchered.

It is therefore necessary, that a state should be of a certain extent, that it may reap the real advantage which its situation secures. What is nobler than to see the privileges of two bordering provinces adjusted by the sovereign award of populous cities, themselves subject to laws, like private individuals.

In all these disputes no blood is shed ; ten millions of men, who, in every other conjuncture, would infallibly have been employed in mutual carnage, are purified by an edict. .

View all the savage hordes of the new world: they are a complication of little confederacies, which divide into endless branches. Peace they scarcely ever enjoy. When a spark lights upon a small tribe, the fire spreads in all quarters.

But alas! every thing is balanced. The great misfortune of vast states is, that they lean towards despotism. That immense force which maintains peace, being insensibly entrusted to a single man, soon corrupts his heart. Standing alone and without controul, he abuses his power. Through pride he plunges into wars, that produce the same miseries which the state would have suffered, if divided into small cantons. His will is supreme, and he throws all into combustion. It is true that, by the failure of resources, peace is more speedily restored than in anarchy.

Large states are, therefore, in all respects preferable to small ones. Vast dominions, likewise, admit of the most freedom; the name of a subject becomes light when shared among twenty-four millions of men. Let us then declare for great empires, since liberty sometimes harasses a republic till it is tired of its prerogatives.

If there were only two or three nations in Europe, peace would be incomparably more durable. In extending this idea, we find a new and

and admirable plan. The epoch of the prosperity of Europe will, perhaps, arrive, when this portion of the globe shall have submitted to the authority of one just and mild prince. With what rapidity would happiness spread over the whole extent of this superb monarchy ! What vast labours would be pursued ! The empire would by its coherent mass repose in peace. All the weights and balances which compose the complicated machine of republics, could never be compared to this simple and single mover, if inspired with justice and beneficence. But, on the other hand, what means remain to be exhausted, before such a throne be filled by a new monarch, active, vigilant, laborious, just, and great !

Almost all nations, the mere work of chance, ignorant in their origin, have adopted a primary error, of which they have not perceived the consequences with regard to posterity. This error, has become the basis of the political code. Deceived by the event, a most dangerous master, the legislator has accommodated these institutions to the wants of the moment ; and time, which accumulates the most foolish opinions, has far removed the happiest system. Hence that incredible diversity in the distribution of power. The republics which appear in the world,

beside those countries where arbitrary power prevails, resemble the traces of blooming health on a dead body, that have still escaped the ghastly ravages of corruption.

In these times, when religious and political fanaticism is banished from Europe, shall not a happy concurrence of circumstances demonstrate the glory of the human race in the majestic repose of an empire which will comprehend all Europe

It would be a curious political problem to find the dimensions of a kingdom suited to the genius of a sovereign, and to the happiness and repose of his people.

The more extensive a state is, the more is luxury supported by a larger number, and the lighter does the burden feel. Lost amidst the multitude, the individual perceives not so much the weight of power.

Great states change their aspect with the greatest degree of rapidity. Amidst all these transactions, which convulse Europe and suspend our timorous and uneasy admiration, a slight fever, a fall from a horse, sweeps from the scene one of the principal actors, and produces a new combination of events and of ideas. What appeared impracticable, impossible yesterday, is to-day effected with ease. The man who

who yesterday was judged criminal, is to-day esteemed a virtuous citizen. Every thing changes in a day, because in great states the work of the passions is variable, and the first who puts them in play is in a manner absolute.

DEFECTIVENESS OF CERTAIN SCIENCES.

THE laws of attraction and repulsion are laws with the nature of which we are still unacquainted. How can we conceive that these two opposite powers should be so happily combined, as to produce all the wonders which we see? The Newtonian system does not enlighten our understanding: I perceive that it even contains impossibilities; and in a little time it will be exploded.

But of what importance are the ingenuity and parade of man in these lofty conceptions? Is it not better for him to live happy and good, since happiness is with him the main question?

A wise policy, which weakens necessary ills and multiplies benefits, is preferable to all these pompous systems of astronomy; for I repeat it, the main question is happiness.

A wise policy enables man to display all his faculties; it resists the agents of destruction,

doubles our pleasures, and confers on us a greater portion of happiness than we had reason to expect. Through its continued vigilance its action is multiplied wherever it becomes most necessary ; and it extends its resources to bestow on the unfortunate the benefits of society.

Newton has determined that scarlet is not red ; Malbranche that we live in a world in which there are no corpuscles—nothing material. Be it so : I prefer to these fine things the injunction of the police not to pluck the blue-bottle in the corn fields during the harvest time.

ON MAN

OVER the whole earth the want of subsistence has made man a covetous being ; every where it has put arms in his hand, at one time to dispute the grounds ever-run with briars, at another the fields covered with corn, at another the retreat of the forests and the uncertain surface of the ocean. Nature has commanded him to strip the globe or to perish. He requires substances for food, for cloathing, and for lodging : he has found means to tear iron from the bowels of the earth to subdue the brute creation, and has turned against himself that metal which gave him

him the dominion of the universe. It is nature which, bestowing a voracious appetite, has enjoined him the carnage of other living creatures. He would die of hunger in three-fourths of the globe, if he had not contrived to fabricate the bow and harpon, and to construct a canoe, to go in quest of fish. His existence is founded on the destruction of a multitude of animals.

But laws intervene to establish order in the moral world, to which the physical world is at last subjected. Laws establish agriculture, industry, commerce, and the science of government. Labour procures man enjoyment, and puts him in possession of all the fertility of the earth : the fruit becomes the property of him who planted the tree. The arts, in their train, multiply the production, and display the liberality of nature. Man was entitled to every enjoyment ; he was rendered happy. The laws of policy agreed sometimes with those of natural morality ; all kinds of governments protected the industry of citizens, and established justice as the only means of encouraging labour ; finally, man, born to act, to enjoy all the advantages which he can procure by the exercise of his physical and moral faculties, owed his happiness to the primœval laws, almost all originally cast in just and useful moulds.

The state of man was not then a state of war, as Hobbes pretends. His primitive character disposed him to anxiety, and consequently to union. We cannot imagine freemen, scattered at great intervals over the globe, and seeking their mutual destruction. They would rather avoid each other, till some relation should occur between them, and then would become more closely connected than the individuals of a polished society. No sufficient reason can be discovered to prompt them to mutual massacre.

Far from wondering how men could collect in society, we are astonished that they could subsist a moment in the state of nature. Instinct did not give birth to general society, but only to particular associations ; and these connections are the most intimate.

General society is only a slow aggregation of particular societies. When the general society disunites, that is, when the spirit of faction begins, it is the same social love (who would at first believe it !) which being too confined in its objects, becomes pernicious. This destroying principle springs from the natural affections, since it often dissolves societies by the same laws by which it formed them. It is the same propensity which acts blindly ; it is a legitimate passion, but which, from its being ill directed or too violent, engenders factions.

Men, far from esteeming each other equal, are all disposed to recognize a chief, from whom they are willing to receive laws. They all feel the necessity of government ; they discover instinctively, that extreme liberty would produce extreme disorder ; and humane institutions are positively the institutions of nature.

If it were impossible for man to meliorate his condition, what advantage could he derive from that understanding which distinguishes him from the brutes. He set up a government, because he felt himself governed by his passions ; he stretched out his hands to the enlightened man, because he felt himself ignorant, and judged that his inclination, directed by the intelligence of another, would be enabled to approach the natural order of things with greater certainty.

Let us not suppose that the principles of government are one of those chimeras engendered in the depths of metaphysics. The author of nature, after diffusing order on all sides, left not to chance the lot of humanity. Man, called to live in society, carries in his own breast the faculty of perceiving its moral laws, of combining them, of weighing their real utility in practice ; and by considering those which can most influence his happiness, to form them at least into the science of government : by examining those which

which most influence the mind, this knowledge, the most essential to man, must carry him to a high pitch of perfection, after having long wandered in the arts of curiosity. Truth every day advances a step; and after so much light is struck out, so many reflections acquired on this subject, there will undoubtedly result a brighter picture, of which we shall be enabled to comprehend the design and the plan. The spirit of philosophy will then have reason to boast its having begun the happiness of the whole human race.

The origin of that society which we are in search of, is to be found among the wandering tribes of the new world. There we behold how man associates with man, and there we perceive the foundation of laws, the plan of legislators, and their views confined to the present moment.

Chieftains or leaders have every where preceded law-givers, because the abuse of reason is prior to the use of it. After suffering calamities through weakness, or ignorance, men grow wise by their necessities.

The individual will is often suspicious, but the general will is always good, and can never deceive. By what sign shall we know it? By the open call of the general and common interest.

IRON IN THE HAND OF MAN.

I LOVE to figure to myself the first operations of the arts upon the earth. Behold ! the hatchet enters the forests, and the wild beasts, struck with alarm, abandon their dens to men, who, with iron and fire, open spacious alleys in woods where the earth, by the exuberance of her useless productions, becomes a burden to herself.

The rays of the sun have purified the poisoned soil, where the uprooted pines and old trunks, exhausted by thick garlands of parasitical plants, gave to vegetation a hideous aspect : the marshes, concealed beneath heaps of rotten leaves, bred hideous insects ; a vent is given to these stagnant waters. The air corrects the extensive humidity,—a temperature the most pernicious to our species. Habitations arise in the same spots from whence ferocious animals, lurking under the clustering boughs, darted out upon their prey.

Instead of the poisonous plants on which the quadruped and man languished alike, too near the green carpet of the fens, we now see the treasures of a wholesome and smiling husbandry spring up ! and sportive flocks now gambol where

where the hideous serpent was wont to shed his venom.

Such in our own times were the operations of the american colonists, when they entered those silent retreats that required the action of a free air and the quickening influence of the sun, to purge the water and the earth.

The intention of the Creator, in bestowing the arts, seems particularly to have provided the permanent means of associating men. Human society enters into the plan of God, not only as a certain effect, but as a principal object to which most other effects are meant to concur.

Without society, there is no affinity, no virtue; no knowledge of the Great Being, of our own duties, of our capability of improvement, of the happy developement of our intellectual faculties. What indeed is the human race, dispersed, without morality, without notions of religion or virtue, knowing neither to admire nor to contemplate the wonders of the creation? Society gives the necessary instruction to man; and to the prosperity which it affords in this world, it joins the hope of a future felicity in a new order of things. For the great and sublime idea of final causes disclosed itself only in improved society, in which we perceive the concurrence of the rays of eternal wisdom.

To endeavour to prove that the condition of the people of Europe is less desirable than that of the Caribs or Hottentots ; or that the man who exercises the arts is less happy merely by reason of his employment ; that if all his knowledge were confined to run, to leap, to wrestle, to throw a stone, to climb a tree, and all his occupation to satisfy the cravings of nature, and then, void of thought, to slumber at the foot of a tree ;—this, I say, is to play on the surface of things for the sake of displaying a brilliant eloquence.

The arts and sciences have doubtless their inconveniences : but are these inconveniences to be put in competition with the advantages which result from them ? Can they be compared with the evils which follow the neglect of them ? When men were without the arts, they were obliged, like famished wolves, to sally forth from their retreats in pursuit of prey. They were continually engaged in destroying each other, that they might not be destroyed by mine. Hence the inundation of those barbarous hordes, which fear could no longer confine in the shores of the ocean, or behind the mountains of the north. They migrated perpetually from their barren abodes to the regions of the south, and there destroyed every thing, till they were destroyed themselves.

Notwithstanding all the blessings which nature has lavished on man, he would have remained poor and miserable, without the benefit of political laws, which increase the force and enjoyment of a people, which banish famine, which break the yoke of slavery, and lastly, which instruct individuals concerning their respective rights.

Wise political laws collect into a focus abundance and liberty, and prevent men from becoming the slaves of their fellows ! Political laws also, by confining nations within prudent limits, hinder them from rushing against each other. Small tribes are subject to this accident, as well as mighty states, when the means of subsistence are not founded on the social laws.

Let us conclude, therefore, that men are only unhappy because they are not sufficiently industrious.

FALSE SIMILITUDE.

TO compare a state to the human body is a similitude which, repeated a thousand times, has been the source of astonishing errors. Mennius's story is ingenious ; but ought we to compare political bodies with the human body, in

in which all the parts are connected and have a necessary correspondence, insomuch, that when one part suffers the whole suffers of course? Is not this a most gross abuse of similitudes? I, who am a subject, am never so near to the sovereign as the toe is to the diaphragm; and does the sovereign really suffer when I suffer, as is sure to be the case in the animal economy? When the royal stomach digests does the chyle flow to me? These old comparisons are so very faulty in reasonable application, that they ought to be entirely abandoned; and by such images as these weak minds have been led into very great errors.

It is certain that a state should form but one whole; it is, however, usually composed of two powers, which, by their contention, maintain an equilibrium. These powers are kept in equipoise by a third; and while in the human body a healthful state cannot be other than universal, it is not possible in the social body for an equality of enjoyments to subsist. With those who think correctly disputes are not lasting; and it strikes me that in a political argument the similitude of Mennius will be no longer quoted.

In a State there are unremittingly a flux and reflux of power. The progression from one form

of government to another, although insensible, is real; and laws, as well as the basis of fundamental principles, are subject to variations.

Under the tyranny of Tiberius, Caligula, and Nero, Rome still gloried in the title of Republic: it once more became effectually such under the dominion of Trajan and Marcus Aurelius, although these were sovereigns. It had also its days of liberty during the reign of Gallienus; and when thirty men disputed the sovereign authority for the space of seven or eight years, its military democracy was productive of less mischief than the despotisms of Caligula and Nero.

It has been said that every State has its birth, its virile season, and its old age. These images carry with them a tendency to error; the forms indeed change, but the earth, the soil, and the inhabitants are still the same. An empire is sometimes stronger, sometimes weaker; it is re-established, it predominates, and it carries the same name, while its constitution is no longer the same.

The intemperate love of liberty may precipitate its heedless partizans into slavery. The most salutary laws may be converted into poison. In politics general principles are nugatory and evidently false.

True liberty does not consist in having no dependance on any authority ; but is compatible with restraining laws. When the sovereign himself is obliged to conform to laws to which the rich subjects are made to bow, I can pronounce without hesitating : this government is not a bad one.

What have those gained who live under your laws ? This is the question I shall put to every government. Whatever name it may bear, if the subjects tell me—“ we are not discontented”—if I hear these words, I say, I shall praise even despotism.

When I shall perceive in any nation that the taxes have been so diminished as to be scarcely felt, I shall say : here a father reigns. If the burthens are heavy, and the people bear them without murmuring, I shall say : this nation is free and enlightened. But if a nation groan under its taxation, still supposing it, however, supportable, I shall say : these people do not love their country ; here each individual thinks solely of himself.

On the subject of government there are innumerable theories, all of them very good upon paper. They are suited to every character and to every disposition. The theory of the economists is just as good as that of Plato : each of

these would sway the world, provided the world would allow itself to be so governed ; but the mischief is, that it requires physical powers to keep it constantly in action.

Moral ideas come next. These have great weight, but not until they are blended with the self-moving powers of an empire.

Governments are subject to diseases and revolutions occasioned by the law of friction. Experience, reasonings, and the most admirable theories are here of no avail, since the political movements will have their usual course.

Would it be sufficient to have reared the edifice of public liberty, if the legislature were not afterwards to secure the private liberty of the meanest of the citizens ? If the depositary of the public force can dispose of a citizen according to the caprices of his grandeur, or if the credit and fortune of individuals hinge entirely on the will of a prince, then is the dignity of man degraded. Man should have no other judges than his equals ; but such a privilege is rarely to be met with, because the conquest and maintenance of it are difficult. In the constitution of every government this is the most essential point to be obtained : now if this danger be foreseen and obviated for ever by the law ; if this sacred and terrible power belong solely to the tribunals which

which are a check on authority, court favour, and intrigue, then are the powers of the state happily combined, and then does social order subsist.

The *habeas corpus* act passed in England in the thirty-first year of the reign of Charles II. is effectually the triumph of the British legislation, and to every mind capable of reflecting on these profound subjects, must appear the *chef-d'œuvre* of policy, wisdom, and humanity.

Let any nation whatever obtain such a law, and every useful reform will be found to spring from it. But so noble a conquest, which restores to every man his natural dignity, can belong to a nation alone already disposed to feel all its justice and all its importance.

This celebrated act is in a manner become the second *magna charta* of the English: on so important an occasion they have given no scope to an arbitrary will. We are far from those great and precious formalities which remind princes that every punishment arbitrarily awarded is a violation of the social compact. We have allowed the encrease of this power, already so terrible by the assumption of the executive authority, of a power so alarming which it is not difficult to abuse. We have, however, by our verbal discourses and writings made some

resistance ; and with all the zeal of patriotism, and all the eloquence which is inspired by the love of humanity, have unceasingly intimidated those who have been appointed the arbiters of the lot of others. Illegal imprisonments have been latterly less frequent, and the whole nation has, as it were, become witness to the actions of the prince, tacitly requiring of him an account of the exercise of his redoubtable authority.

Why has the fine kingdom of Poland, notwithstanding all its advantages, been unable to attain the rank of a respectable power ? Because the rights of man are there essentially violated by the privileges of the grandees, and because the different parts of which the Polish constitution is composed, bearing too unequally on each other, prevent the establishment of an equilibrium. No vigour can be looked for in a nation of which two thirds of the inhabitants are in a state of perpetual degradation : under such circumstances the nobility, having no longer any moderation, harass the people, and display to the world the constant spectacle of intestine divisions. To regenerate such a kingdom would require its entire subversion, since no efficacious police can be established in a state, unless there be a just equipoise between the different orders

orders of which that state is composed. When, on the other hand, the equilibrium is entirely destroyed, it is impossible for any individual to contribute towards the public weal ; and the destruction itself of the government is preferable to that stagnation by which the police is utterly corrupted.

The writers who have investigated the formation of societies among men, have some of them recurred to chance, others to fear, or a compulsory force. While society exists, according to the first appointment of nature, they have made all the causes to consist in the reproduction and preservation of the human species. But love, and the desire of mutual assistance, appear to me to have formed the first bond of union.

SUPPOSITION.

IT is a whimsical idea, but nevertheless instructive, to imagine on a sudden the administrators of states entirely vanished. Assuredly, governments would not be dissolved, still less society ; yet the administrators believe that every thing is performed by themselves.

The people, upon this 'upposition, would suddenly require a new legislative authority.

The change of persons would hardly be perceived, so permanent is the original form of societies. Anarchy is so contrary to the natural order of things, that the bonds of society form and extend of themselves. Is there a government in the world without laws? What ridiculous folly in certain ministers of states, to fancy that without them society would only be a confused multitude, without order and without union! Men obey, because they have a law engraven on their heart, and because the transgressor seeks only to dissemble, and not to justify his crime.

Other ministers, filled with some chimerical notions, imagine that the people being ignorant, it would expose the state to total ruin, if their presumptuous system were shaken. They know not, that since books have been diffused, and even without books, the people are, by tradition alone, prepared to become their own legislators, to sacrifice much on the one hand, in order to gain on the other. Insin & enlightens the most ignorant in moments of signal importance, and never are they mistaken during great revolutions. History fully confirms this maxim. Notwithstanding grievous subjects of complaint and discontent, the people will not proceed to radical changes, to the abolition of royalty, for example,

in great states ; for the people, I repeat it, will endure many oppressions. They may be said to be philosophical, since they bear with certain unjust and vexatious laws, for the sake of others which are great and sublime ; they may be said to have made every allowance for human frailty in the conduct of their administrators ; they consent not to bear the name of rebels till they have sufficient pretext, and sufficient force to sanctify that title : then they introduce the state of war, and, well knowing that thereby they expose themselves to great misfortunes, they direct their attacks against an oppressive authority, which, they aver, is not founded on their constitution or laws of government : they may be mistaken about words, but their reasonings are sound, for they feel the necessity, amidst the most terrible dangers, of forming anew the social compact. If weak, they murmur, they exclaim, they condemn, they detest ; if powerful, they establish the balance, and exult in the victory.

And who were the first legislators ? Men, who the day before were branded with the appellation of rebels. Would obedience be honourable, were it altogether passive ? I see the people every where more disposed to suffer than to resist, and for this I admire and respect them : nothing seems more opposite to their ideas than a revolt,

a revolt, and when that period arrives, I am almost tempted to believe, that the resistance is lawful, and that they have been oppressed by a thousand invisible hands.

Two or three men may be led astray by their passions, and hurried into disorders, which rise to the level of their pride. But when a whole people are unhinged and thrown into violent commotion, a people who expose an ample front to so many wounds, and among whom the re-union of power is so difficult ; they must have been sorely and deeply harassed and abrased. Alas ! must the people always be exposed to the fury of avarice and the cruelty of oppression ? Resistance, that is reaction, becomes, therefore, inevitable in many circumstances. Every thing has its limits, and as Locke says, the supreme power, whatever it may be, returns to the community.

ORIGINAL FOUNDATION.

GOVERNMENTS are analogous to the force of the sentiments which gave them birth : the Romans were conquerors, because the first founders were robbers : China, founded on the strongest sentiments of humanity, subsists by the

the immutability of its rights. Religious nations are distinguished by a fanatical attachment to their creed. Thus every people finds the source of its polity in the work of nature: The manners of the Greeks and Romans were the most faithful pictures of their governments. The national body will represent the ancient legislation.

Political principles are only good in proportion as their basis is established on the real manners of a people.

The parallel of the present state of Europe, with that of the other parts of the earth, would throw a clear light upon the conquests of the Romans; and it would be perceived whether the universe has gained or lost by this great revolution.

Governments derived their origin from natural sentiment; they were, at first, unacquainted either with principles, or the public exercise of these sentiments; they had an impression of the moral idea of justice, and of the abstract notion of liberty. The authority of reason gave place to a political establishment. This is easily conceived; but in whatever he does, man advances step by step. I assign to the art of government, the same origin as to all the other arts; it is nature that supplies the hints. An intelligent

intelligent man profits by these, and collects the local dispositions under one point of view. Observe that all the ancient states valued themselves upon a single legislator. Thus, in those remote times, the action of unity upon the mass of men's minds was felt in the same manner as, in polished ages, national pride is inspired by a writer, a law-giver, a conqueror. Hardly can the Egyptian decypher the inscriptions which declare his past greatness, and the rest of the earth extols the country which has submitted to the yoke of the Ethiopeans, of the Persians, of the Greeks, of the Romans, of the Arabs, of the Circassians, and of the Turks.

But it is ridiculous, in modern authors, to speak of ancient constitutions, and to propose them as models, when gun-powder, mechanics, the mariner's compass, tactics, the arts, and Christianity have produced a total change of circumstances. What resemblance has Lacedemon to Paris? What would Lycurgus say, if transported to Versailles?

The science of politics is versatile in its nature, and should vary like the calendars. I can conceive a state to be in such a predicament, that it may and ought to change suddenly its political and religious laws; as was seen at the period of the reformation, when principles, the most

most generally received, were abolished and annihilated, and, as was necessarily the case, with impetuosity of decision.

ON THE NEW-MODELLING OF LAWS.

WHAT are called constitutive laws, are the actual basis of the constitution. General consent, and common opinion, form political laws ; as, if they contradict the first formation of the state, they become no less institutive, or fundamental laws, when they accord with the general wish of the nation ; the monarch cannot abrogate the laws by which he holds his crown ; but there is no doubt that the authority of the nation can change old laws, or old customs, whenever the public utility requires them to be annulled.

The first of all laws is, that which sets the safety of the public before every other consideration.

Thus, these fundamental laws are not fixed on an eternal basis, since new circumstances, a great change of manners, or physical revolutions may direct important alterations. Men, in forming laws for the public utility, have reserved to themselves the right of destroying these same laws, when the same utility requires it.

A general

A general new-modelling becomes much easier in some crises, than the correcting of certain secondary laws, because these, being derived from the constitutive laws, open a wide field to disputes and contradictions ; whereas a total reform repels all the inconveniences of the established laws, and brings forward a legal system, great, magnanimous, and salutary. It will always be more difficult to find expedients to reform a defective law, than to demolish it at once with a sudden crash ; but it is only the political laws which can be overturned in this manner, because, like those superb obelisks, composed of a single block, they must either be set erect, or laid level with the ground.

Thus, states have their vicissitudes ; but when they do not undergo a thorough regeneration, or meet not with skilful founders, it were better for them to continue according their primitive institution.

RECIPROCAL RIGHTS.

THERE are no societies without reciprocal rights, and, notwithstanding, in the midst of so many individual and legitimate rights, there can be but one sole authority. This authority ought,

ought, however, to be made up of the national spirit, that is to say, of its consent. In such a case, the voice of a supreme authority legally obliges each individual to rally round it, so as to form a collective force ; and the government becomes merely an association of several physical powers, united to subdue other physical powers that may refuse to follow the general movement. The will of the legitimate government becomes a point of union for all the other wills, and for all the other powers ; and it ought, and must enforce obedience by its physical strength. In its final analysis, essential order admits of but one sole authority ; but after all the contentions which shall attempt to define, in some degree, the law that is to regulate it, government will spring up at the close of the combat, between the passion of ruling, and that of being free, both of them equally natural to man. The most absolute authority becomes legal, when it arises triumphantly out of the contention of all the individual interests ; these will be blended with the general interest ; and the power will be justly placed in the hands of a chief, in such a way as, that the principle of unity in the government will be appreciated and adopted by all. Great disasters usually give birth to a despot, on this account, that he is obliged to abuse the power

power delegated to him, when the interest of the society requires him to strike a terrible blow, that shall substitute the reign of the law for the tempestuous passions which are subversive of all order and of all police. When the mischief is over, this very despot, to whom the habit of command is become estimable, ought to be subdued. He was a saviour, but he becomes a tyrant, if he refuses to sheath the sword with which he inflicted vengeance on the enemies of their country. Thus is there, sometimes, but a small distance between a hero and an usurper ; such was Cæsar, and such was Cromwell. It is the supreme effort of human virtue generously to resign the power, and make a sacrifice to one's country, after having avenged its wrongs, or saved it from imminent peril : in an enlightened age, however, and when the attention of the whole universe is fixed on a single man, glory alone can recompense him for a sacrifice like this. Such, in our days, has been in his retreat, the American General, Washington !

If we examine the spirit of societies, we shall see that they tend, by their very nature, to the maintenance and security of the independence and equality of men. This equilibrium may be deranged by personal interest, but it will be re-established : the individual dies, while the species

cies labours for the general preservation. While force acts on the one hand, art insensibly acts in a contrary direction on the other; and, in an enlightened nation, liberty blends itself in a sensible way with slavery, corrodes its shackles, and points out to Man the means of shaking it off with address. We have letter times to look up to : human intelligences, constantly increasing, dictate new laws to statesmen, who cannot relate what their country expects from them, without exposing themselves to the scandal of the public.

The French will never be entirely subjugated : the spirit of the old legislation of the Franks, is a spirit of natural independance ; they were willing to be led, not governed and condemned ; nor would they admit the right of any one over their life and their person.

PRIMITIVE RIGHT.

IT was a lawful act ; for a body of men wanting women had a right to provide themselves, and to take them from their neighbours who could spare them. Force was then the cry at once of nature and of the right of nations. What a state does from real necessity and for

its preservation, becomes a supreme law ; but never was there perhaps a motive so powerful and so just as that which at that time actuated the Romans. And why was this rape never ranked among unwarrantable violences ? Plainly, because it was consistent with the law of nature.

There are cases, (they are indeed rare,) when misery can justly have recourse to force alone. Famine, pestilence, and shipwreck warrant laws, which are not inconsistent with justice, though they offend charity. Such is the right of necessity ; but it is so terrible, on examination, that it should be covered with a veil, as a precipice is skreened which the eye dares not to explore.

Some countries expel the stranger who has been driven from his home, and deny him a retreat. If all the world were to repel him alike, could he live in the air ? Must not a man inhabit some where on the globe ? And has he not a right to do so ? The nation from which he entreats an asylum, therefore treats him unjustly and cruelly, if in place of restraining and watching him, it commands him to leave its territories. The water, the air, and the earth belong to all men ; and the inconvenience which property may sustain, can never excuse the inhumanity

anity of him who refuses his fellow a share in the patrimony of princely society.

Penal laws alone have a right to drive a person from one country to another; and this appears to me the most terrible exercise of their power.

For the same reason, no equitable law can hold by force a member of the society who wishes to go elsewhere in search of happiness. Every man has a right to choose his country, because happiness being the natural end to which every man aspires, each is free to join what society he pleases. If the citizen is blameable for forsaking the place of his birth, the state which seeks to retain its subject, would show its weakness, and after all obtain a bad citizen.

European states forming in a manner the bulb of the thermometer, what matter's the fluctuation of the individuals ? When the natural ties are insufficient, we need no longer talk of the political ties, which lose their force when we attempt to overstrain them. The state may indeed recall its subjects, and may punish them by the confiscation of their goods. But it ought to respect the liberty of the individual ; nor could he have any merit in loving his country, if he were not permitted to adopt another.

What can we think of a government, which

rendering men wretched, and stripping them of every thing, restrains them from going to breathe in a milder asylum, and which sets up barriers to hold them in misery and servitude.

OF IMPREScriptible RIGHTS.

IT is incontestable, that the nation is the legislative power, and that it needs in addition an executive power alone.

All the efforts of a writer should be directed to enlighten the first. If an author is inhibited from speaking, it will be inferred, that what he had to say was for the advantage of the public.

Men, who usually act not from principle, would still act if knowledge were to be more diffused.

A guardian sovereignty will always be respected; a rapacious sovereignty will always be combated and eluded.

The right of man is to enjoy his greatest possible felicity.

Let not the laws of society contradict the laws of nature, for these are perfection itself. In society man loses not his rights, he extends them to every thing.

The human race never chose to give itself masters;

masters ; it elected chiefs to guard and protect the respective properties. The laws of nature exhibit the complete plan of a happy government.

Such an error is evident, you may reply. But what if the tools are copy-righted, as a plow or a diamond, I said, in intentioner who wishes to obtain gain, and I therefore the injury un-deceived, when I carry the plow to the jeweler, when I behold my poverty and the sum of loss that I have sustained ?— While the illusion lasts, he who is deceived finds himself strong and powerful, but his confidence soon yields to weakness and despair. Thus, all the nations who derived an artificial force from prejudice, have sunk into despicable slaves, below the term of human delineation.

These gross frauds are always frauds that apply not to the full extent desired ; and when the imaginations of a people are stored with such chimerical paroxysms, the first enthusiast who takes the trouble, may give a direction to the errors. They are led on to murder, to outrage, to crimes of every kind. Hence the light is extinguished which would guide them to gentle manners.

What multitudes have been hatched to conceal opinions which had not the smallest relation

tion to morality ? Does not the most rigid and most superstitious religion, in our own times, receive into its bosom the greatest number of traitors and robbers ?

Good civil laws which cramp not the liberty of man, and repress nothing but usurpation ; these alone are desirable. All heresies spring from those antiquated absurd dogmas, which can find credit only among the most barbarous and brutal people.

Have we not known lawyers assert that a kingdom was the patrimony of a single man, and to fill him with this preposterous idea ? Have not others shown happiness to man, as a bird-catcher shows a mirror to larks ? The net was spread below, and when men tried to burst through, they were reckoned criminal. All the framers of codes have turned aside from civil rights.

Writers should therefore exert themselves to restore to man his dignified and noble character ; for ignorance ought either to be total, absolute, and profound, or should cease altogether. Happiness, says Dr. Swift, consists in enjoying the satisfaction of being properly over-reached. But what may suit an individual, will not suit a nation.

It is said with an ironical air, what ! are writers

to a go, to make legislators ? But does not
the artist who constructs compasses, telescopes,
and other necessary instruments, perform a ser-
vice to geometry and geometers ? How could
they cultivate the sciences without these im-
plements ?

May we not judge of the merit of those who
govern by the ardour of the attachment which
each individual entertains for his country ?
Those periods of the commonwealth are the
most prosperous which afford the liveliest de-
monstrations in its favour ; nor should we boast
the exterior decoration which bestows brilliancy
on a state, but the inward satisfaction which
the citizen feels.

The primitive constitution of states did not,
neither could it oppose independance.

To begin the history of nations with the
despotism of an individual, is to set reason at
defiance. Savage tribes, (and from them, all
nations have had their origin) are never sub-
ject to controul. In the earliest institution of
societies, man paid obedience with no other
view than to procure a reciprocal obedience from
those entrusted with the governing powers. A
considerable time was required to bend a great
society beneath a single force. The courage of
an infant people, is a sure guide to us, and, be-

cause it is distinct, is not the less just and profound at this period.

Instinct makes up for the want of reflection, and in the sequel, it can only be replaced by an assemblage of all sorts of knowledge, at a time when civilized nations are obliged to defend themselves against the despotism which rises out of the arts.

There exists not, nor can there exist a state whose form is really such as it is conceived to be in speculation.

The few govern the many ; but it is nevertheless true in fact, that in process of time, the many overawe the few.

Man is a social being ; which is evident, because he is naturally disposed to limit his own rights, in order to leave to others a free exercise of theirs. He has therefore seen in a direct way, the general interest of the human species : and this is manifest even in the most imperfect legislations.

Extreme political perfection is impracticable. All those sublime plans digested on paper can never be realized. When the machine must be constructed and put in motion, we should reflect, that no direction can be given to it without a collision of the human passions.

In all the systems, ancient and modern, the details

details are constantly happier and juster than the amount of the whole.

There is no evil in the political order, but which may be turned to good ; and to supply the want of public morals, great societies have invented a spring, which under the name of honour, has a powerful efficacy, and acts as forcibly as virtue itself.

The ideas of men of superior understanding, acquiring a dominion over the mind, become sentiments, and are soon converted into laws. But there are some of these notions which ought still to remain under the veil, because the present state of society is not prepared either to conceive them well, or to adopt them profitably.

Such conceptions a writer is permitted to whisper to sages, and to cover them with a sort of mysterious obscurity, thus to avoid the reproaches, without betraying the rights of august truth. The empire of persuasion, though it sacrifices its force and its lustre by delaying the moment of triumph, will lose none of its influence.

Under any political form soever which civilization may establish, the natural rights must never be extinguished in the civil ; the legislation would otherwise be faulty, and the individuals oppressed and wrtched.

To

To assert that the natural right is opposed to the civil, is to advance a monstrous absurdity, to sink the character of man instead of raising it, and to take away his happiness instead of confirming it. Alas ! of what import to man are those constitutions prepared with such show, that ostentation of wisdom, and those laws, the production of ages, if all this display is only to oppress him, and afforded no consolation in the journey of life ?

The assemblies of March and of May, these solemn diets, have been common among all nations, because sovereignty was originally derived from the people. Then, the monarch was only a captain. He appointed the officers about his own person ; while the honours of the state were conferred by the national suffrage. But after the bounds of the French empire were extended, it behoved the many to obey the few. The bishops and feudal lords took charge of the government, and the kings or captains, who had dreaded the assemblies of the people, saw themselves, though too late, deprived of their firmest support ; for every nation, enjoying the privilege of arms, will invariably elect a chief.

The abolishing of the order of commons gave rise to a body which has sometimes appeared inimical to the monarch, but above all, to the

the people. This body would gladly set itself on a level with the sovereign of the nation, and at the same moment, it pretends to humble the third estate : it is disposed to make the monarch a Venetian doge, and the people a beast of burden. It perpetually skulks behind the treasury and the church, to purloin the riches : it must receive the large sums destined to elevate royalty ; and it would fain wrest from the monarch the noble privilege of dispensing honour. Present merit, according to it, is nothing , it meanly sollicits a recompense for the past. Kings know not how to rid themselves of this crowd of beggars, who, in the midst of their pretended regard, say that the capetians still reign.

These degenerate nobles, without fixt property, and destitute of power, regain by cunning what they had lost ; they despise living merit for ancient chimeras ; and they would fain persuade us that the constitution of the state rests upon their distinctions ; they forget the commons, as if the people never had existed. Formerly the great lords went to court to diffuse widely their wealth ; at present they dun incessantly, and whatever touches them must be sacred.

OF DISTANT GOOD OR THE VAIN PRETEXT.

NO sudden change should be made in the condition of citizens, even what might seem the most necessary. And why? Because we ought not to harass the present generation, which must quickly pass away; it consists one half of men in the middle or near the end of their course, and who consequently will soon sleep in the tomb.

I appeal to any sober thinking person: is it allowable to rob them of their repose, to molest their existence for a distant good, to attack their little property, and to sacrifice them to an uncertain futurity? What is futurity to that multitude of men who come into the world to toil and to die? Ought not politics to act as does the dial, which points out to all this information, *tempus a morte*. Alas! what miseries do those who have grown old, the great and the tiny of an empire? They are placed in a critical moment, and it is the present moment that politics ought to have in view. That system of polities is false and criminal which reckons not up the minutes that compose the life of a frail and sentient being; 'tis the hour which nature has granted, the hour which to that being is dear.

dear. The rest is the dream of pride ; and when ministers talk of the succeeding age, they pronounce the words of bold quackery.

As the hand must tremble which traces the rapid order of these changes, so the examination of the different impressions which operate on men, should make us shudder at disturbing the foundations of their present felicity. Alas ! must we be reminded of the old and trite proverb, " *Posterity will provide for itself.*" A sensible proverb which our grave statesmen seem to have forgotten. And, if by physical and mathematical laws, the dissolution of the globe were to take place in three years, what would become of the superb speculation of those, who, neglecting the men already born, bestow their whole attention on the future race ?

That polity which tyrannizes over the present generation, to usher in posterity with more prosperous days, is plainly false. The minister who considers the state he governs as immortal, is evidently mistaken.

Nature acts upon empires ; and do we not even now observe that the progress of events destroys all the plans which comprehend too vast a field ?

Hence also spring up the chimeras which are honoured by the name of foresight. There is nothing

nothing but what is subject to time. To attempt bestowing an eternal permanence on political springs, is to forget that the friction of the clock of ages deranges the principles which are regarded as fundamental bases.

New situations will rise out of the political order ; and if it is difficult to foresee particular events, how much more those political deviations of which all kingdoms present variegated examples ?

The foresight of the most enlightened man yields to the chance which deranges the calculation. The statesman becomes a visionary when he neglects the present to enter into fortuitous combinations, which flatter self-love, but offend reason.

Amidst this confusion of ideas which tend to mar the wisest designs, it is altogether necessary that a body of men should watch over the constitutional principles, the secret movers of the life of empires. The part of the nation which instructs either by its information or by its energetic pictures, will oppose a bank to the inundation of these political vices and errors, which continually substitute temerity and hazard to the unshaken basis of wisdom and reflection.

It is this body which will declare aloud that the polity founded on experience is perhaps the best and

and the most certain. As human actions are pretty uniform, this experimental polity follows them with attention. It wants a certain lustre, but is therefore the more solid. It appears more solicitous to prevent immense evils, than to give birth to great distant benefits. It does not readily promise a felicity which nature has almost every where denied to man, but occupies itself about the means of rendering his condition supportable.

Experimental polity, instead of extending its views to a futurity too remote, and on that account uncertain, contemplates the living generation, and that which is immediately to succeed it. And ought not the suffering generation to engage its principal attention? The statesman will, therefore, limit his views to the existing race, or that which is about to enter on the stage. Their wants require not those chimerical speculations which comprehend ages, but such as regard the present moment.

A moment is almost all that is given man in which to be born, to look about him and to die. The present generation has a better right to repose and quiet than the future generation. Its cries are directly heard, and its succour ought to be prompt; for it is it that suffers, that groans, while the other still sleeps in the calm of non-existence.

What

What a subversion of reason would it be, were the statesman to create the one in idea, to sacrifice to it the other ; if he were to dream of those who live ; if he were to attempt to make the present age pay for the felicity of ages to come ; if under the pretext, for example, of the interests of Europe, he were now to wage a cruel war to prevent a future war, and had no other expedient for the approaching splendor of the empire, but the ruin of the citizens who have run half their race. Is it customary to till the land, to provide for years which the sun does not yet illuminate ? Is the vine pruned for the infant at the mother's breast ? Does not each autumn, in its turn, bring stores and bounty in its train ? Alas ! by what fatality have statesmen always talked of the misfortunes which might arise, and never of those which already oppresses us ? Every time has its calamities, as every man has his load of sorrows : if he is not permitted to cast them entirely upon another, it is equally a false and monstrous policy, to sacrifice the actual felicity of our contemporaries to the enjoyments which are promised to our descendants.

I am far from denying the statesman an active and generous forecast. While he cherishes the age in which he lives, he may prepare for the succeeding

succeeding age that beneficial knowledge, which, by degrees, enriches all the orders of society, and inclines them to dispel error. I would only say that, under the pretext of lofty and magnificent projects, the statesman ought not to slight the people that are under his eyes; that our country is not a mother who devours a part of her children to place the rest in easier circumstances: a detestable maxim; for to me it appears on the contrary, that the smaller the portion of happiness we possess, with the greater anxiety should the guardian protect, maintain, and preserve it. The weakness of the individual claims the most powerful protection. This is the voice of humanity and justice, since the living laws ought specially to be applied to the combatting of the evils which oppress us. It is thus that formerly good sense, in critical conjunctures, in the moments of fermentation, dictated simple, noble, beneficent, and reasonable laws to shepherds and mechanics, while we, with our profound and erroneous speculations, open the door to calamities without number.

It appears to be demonstrated, that, if the celibacy of priests were to be still maintained, and if the institution of monasteries were to subsist for a century and a half more, the Protestant church would swallow up the Romish.

So that the clergy of France are the most interested in the great reduction of monks. But as these are rooted in the state, and have contracted their peculiar mode of life in the sight of the laws, and under the protection of these very laws, we may lament the evils which spring from such a multitude of convents, and cloisters, and monasteries ; yet, according to our own principles, we must not disturb their present existence for a future good. We may undermine their establishments ; but to destroy them in a sudden and violent manner, is to take from them the incontestable privileges acquired under the eyes of the legislation. What body in the state would be sheltered from reform, if, instead of separating the evils complained of, it were thought easier to overturn than to correct ? Does not covetousness always blend itself, in some degree, with this excessive, this pretended love of the public good ? Provide that so many persons shall not subsist in celibacy another age, provide that they shall not die without posterity. All this is well ; but suffer those who are to expire to-morrow, to breathe their last in the place which they have chosen through preference, under the sanction of the laws, and by your own consent.

The present generation ought, therefore, to
be

be left unmolested to its enjoyments. Violent concussions are dangerous, and a state is not allowed to produce a present evil with a view to bring about a distant good.

CONTRACT.

IT is the national reason which, by insensible degrees, has formed the government, and conferred on it a respected sanction, since the rich and the poor equally find it advantageous. The poor man might still be strip'd of the little he possesses, and the rich might dread the invasion of the needy. And, as equality is demonstrably impossible, every citizen has a decided interest to support government. Circumstances may modify it; but to prove its origin, we have only to consult the perpetual desire in men for re-pose and liberty. It thence evidently follows, that the public good ought to be the fruit of government, without which it is precarious: government is, therefore, the act of a convention, of a mutual consent, and all the individuals are bound by the same contract.

Man has received from his Creator the power, likewise, of creating in the intellectual and moral world: Such are the sublime prerogatives of his

understanding and reason. Hence has sprung the general and reciprocal morality, the morality which is common and public, whether at home or among the societies which civilized men form successively on the earth. This is what philosophers term polity; a science which watches over the inestimable blessings of justice and of liberty it prepares, for those who now exist, and those who are as yet unborn.

Between the slave and the subject there is a wider interval; but the distance is still greater between the subject and the citizen. To examine accurately the spirit, the justice, and the genuine characteristics of national liberty, to fathom the resources of public œconomy, it is necessary to be a citizen. But to expect every thing from a single man, to behold one's country in the prince, to believe that the influence of the throne will avert public calamities, it then becomes necessary to be a subject.

Now, to those who are capable of perusing attentively the spirit of laws, there is only one leading idea, delicately interwoven. It is a sort of perpetual war against absolute power; and the three distinct forms of government, which continually recur in this theory, tend to shew that the monarchical government has no existence, or if it has, that it inevitably constitutes

one of those political defects which the nation is speedily obliged to repair, lest ruin ensue.

Montesquieu exposes perpetually that political atom which persuades itself that it governs. He shews that in every well regulated state, it is public virtue that reigns, and that the inevitable justice of government depends on the knowledge and courage of the citizens ; that wherever subjects only are found, public virtue retires to a distance, or becomes merely an empty name. This writer shews that it is altogether impossible that public virtue can flourish among a people without energy, living ignorant of whatever is meet for them, of whatever belongs to them in the social order. He demonstrates that the nation must govern itself, or will be governed tyrannically. But he disguises all the consequences of this great principle, by eluding in every page the critical developement of it, by sheltering his genius under quotations, or shunning the explanation, by prudent circumlocutions, as if afraid to promulgate this important truth, or loath to bring his book to a close, by declaring it in a clear and firm manner.

But to the few men, whose minds are so matured and enlarged, as to advance before the consequences of a first principle, it is unnecessary to delineate them all.

Beside ignorance, individual, social, and public reasonings are always lost; but those who have acquired this second education, more important than the first, divine in the books of sages, all that they do not express; they see the lashes of invective in the most stifled sigh of modest and cautious reflection. And without these men, who could have read the profound and nervous Montesquieu. If he was obscure in many places, it was because he chose to be so; because he saw that minds would arise congenial to his own: And when with a most singular indulgence and address he substituted honour for that public virtue, about which he had spoken so largely, this great writer knew well, that he was forming an ambiguous, an inexplicable word, and that to deserv the luminous and unshaken beacon, it behoved the citizens to return to public virtue, as the only active and permanent spring which must mould all constitutions, whatever their nature might be, to the collected will of the individuals.

Montesquieu, therefore, refers all his ideas to the notion of a political contract, and treats with ridicule and contempt every nation where this principle is forgotten. Under this point of view, a crowd of strokes which have a vague air, brighten and receive a colour.

The nation which, preserving constantly the same laws, should not have reserved to itself the right of reforming them, would have lost its most valuable privilege. Despotic governments are oppressive, only because they never change. It is, by a long course of encroachments, that the people are stript of the most essential of their natural rights. The form of government which remains too invariably the same, sets the advantages of civil society always at too high a price. The liberty of thinking ought to carry along with it the liberty of acting; and since opinions influence actions, we need not be surprized, still less terrified, at many inevitable changes; for daily experience proves, that whatever lives is in perpetual action, and that degenerate men alone adhere constantly to the same manners. Speculative dogmas avail nothing. A man must learn to crush every restraint which would impede the developement of his sublime faculties; his very existence requires him to aspire to extreme liberty. The instability natural to man and to all created things, ought to be an idea the most familiar to the legislator, and he ought to view, with satisfaction, those changes which follow the progress of human reason; for the greatest political

error would be, to appear inflexible, when one must live with men and direct their minds.

What is the design of naval architecture ? To construct better ships. What is the object of the science of government ? To have a system of religious, moral, and political principles so connected together, that the greatest advantages may result to society, and that these may be enjoyed in a state of freedom.

The worst of governments would be, that which should join the evils of aristocracy to the dangers of arbitrary power. Wretched the people who should groan under this double load ! They would rather prefer, could their wish be accomplished, to fly into the arms of despotism, than consent to be trampled on, sometimes by the arrogance and rapacity of the grandees, sometimes by the caprice and profusion of the monarch.

THE MORE EXTENSIVE A STATE IS,

THE MORE ADVANTAGEOUS TO IT IS A

NEW CONSTITUTION.

IT is a maxim among physicians, " that no body is perfectly sound." The same may be said of every government ; the least imperfect live

live in a middle existence, in a state truly *eucratic*, that is, where good and ill are intermingled, but where the good preponderates.

What is most difficult, is to give felicity to the whole of a people. The most reasonable, and indeed the only concern, is to labour for their liberty, a sure pledge of their happiness. This is what we have done ; and as public affairs prosper in no country but in proportion as knowledge is generally diffused among its inhabitants, we have exhibited, in awakening from our slumbers, the most glorious triumph that ever people gained over their ancient oppressors.

We have a vast territory well compacted, and a wise constitution, two essential points for the prosperity of an empire. If the happiness of a people, and their power, be in proportion to the state of the arts, and the progress of intelligence among them, we may aspire to complete prosperity. The great extent of our kingdom will, besides, accomplish the physical means of its preservation, by affording, abundantly, the various productions of nature and of art.

Our force will be then beyond all calculation, if it should not be divided. And why should it be divided, when liberty becomes the common interest ; when the benefit of the revolution is felt in every part ; when the ease of the people is

is prepared under the happiest auspices ; when industry, free in every calling, opens a multitude of new resources, and hastens to shower its bounties on the numerous and important classes, invited to riches by that equality of rights which despotism had always carefully stifled ? Can hope be better founded ? Eighty-three departments are to pour into each other perpetual abundance, to provide against local dearths, and put an end to these calamities, which, by the manœuvres of the most impudent monopoly, and the vices of a remiss and criminal administration, severed, if I may so express myself, the state into small parcels, and deprived it of the advantage of its extent.

The progression of our power, measured by the capacity of our understanding and the produce of our arts, exhibits prospects equally flattering : and since it is men that, according to their worth, reduce into *acts*, and realize the force which a nation can draw from the extent of its possessions, our immense population must brave all the enemies who are jealous of our splendour. Yes, if it be the constitution of government that makes men what they are, ours having restored to every individual his genius, every Frenchman will, henceforth, display his talents in all their excellence.

The force of laws depends on the number of those who are governed by them, and strengthens (who would suppose it) with the multitude, because, when once received, these laws bind opinions more numerous, and subdue alike the legislators and the subjects. Laws reign like invisible divinities, and acquire an influence the more certain, and the more irresistible, as it is impossible to contradict the voice of a numerous nation.

The simpler a constitution is, the better does it suit a vast state; for the character of bad laws is the prohibitive regimen, or that which opposes a great increase. Narrow minds perceive every where dangers, and invent shackles; they wish to give to others the little circles which accord with their weaknes; they fear every latitude of conduct; they see nothing but a spring, a lever, a despotic authority. Occupied in limiting and concentrating objects, they think they clas them, when they only disunite them.

It is in a great state that a simple constitution has a noble and sublime play. Genius there takes its widest flight, because it is not cramp't by a stormy and contentious administration.— Little states are like little men, who are commonly choleric, vain, and a compound of personal defe&ls.

defects. The sciences and arts rise not to perfection, neither are they multiplied in parcelled territories.

It would be vain to oppose the example of the Greeks. They were, indeed, divided into small states ; but, in reality, these states, in many respects, formed the same people, very numerous, and whose possessions extended from Sicily and Italy to the coasts of Asia. United under the Amphictions (those deputies of the different states, who, in the general assembly, represented the whole aggregated nation, and were entrusted with full power to decide concerning the joint interest) they were knit together by the same language, the same religion, the same love of liberty, and they had continual intercourse with each other, which was the more easy, because, almost all of them being situated on the sea-coast, nature had bestowed on them a territorial fraternity.

Still less should we wonder at the progress of this celebrated nation in the arts and sciences, as it could daily marry them together. Thus the unfolding of the understanding, and the improvement of the arts, depend on the frequent communication of a very large number of men with each other ; it is the mutual assistance that men of different geniuses afford, it is the course

course of a multitude of ideas, that form the majestic spectacle of the human mind in all its dignity.

Men dispersed have scarcely any idea. Hunting and fishing, by insulating the human species, bring men back to the savage state ; and the remoter that small towns are from a central point of communication, the more they are deserted.

Our constitution, placed on a superb soil, will certainly have a quickening virtue, which will hatch all the possibilities of nature, and, operating perpetually on what it has engendered, will multiply its productions one with another, till they become the source of a thousand creations of different kinds. But this virtue displays its energy only under the star of liberty, and in proportion as the *country* on which it acts is favoured by the extent, and the quality of the soil ; for liberty is a spark which fires a large pile, or perishes for want of fuel.

Viewed under this aspect, France can neither be conquered nor maimed ; no foreign power is able to make on it any dangerous impression. Figure to yourself all that a great empire can display, in point of force, treasures, resources, and the weight and obstinacy of its resistance. Now France, having the wisdom to confine itself

itself to its own territories, has nothing to fear from the fury, or the prosperity of its neighbours.

As every general idea, to be well-founded, must rest on the natural course of things in entire liberty, it is only in states of a great extent that the principles of political œconomy will meet with the fewest obstacles ; because neither the barrenness of the soil, nor external circumstances, will then prevent good laws from having a free and full effect. To great empires belong general rules, since the understanding there examines only the grounds of things, without being obliged, by foreign connexions, to consider particular cases.

A great state, reposing on its own weight, is better calculated for banishing ancient abuses, as the ocean casts out upon its shores all extraneous bodies. It is then, that nature facilitates every effort, renders all labour beneficial, and favours true principles, while it beholds the productions expand, which industry draws from a large territory. In this vast reservoir of individual faculties, the general interest promotes great achievements, because it secures to each labourer, and in the most sacred manner, the full enjoyment of the fruit of his ideas, and of his toil. The assurance that every one shall reap

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the profit of his exertions, is a capital condition, without which, all emulation would expire.

It is under the reign of liberty, that the arts engender each other. The intelligent and laborious husbandman then reaps abundant harvests of different kinds, and his barns overflow with agricultural treasure ; his stores, besides plentifully maintaining himself and his family, afford a surplus for exchange.

Are you desirous to increase the powers of the political machine ? Encourage all exchanges ; check no sort of enterprize. No labour is unprofitable ; all public works which require many hands, give birth to a multitude of useful consumers. Rural operations are intimately connected with all the disbursements of luxury ; it is luxury that increases consumption, because it invites man to enjoyments which he cherishes, and no enjoyment is prepared without a multitude of labours and exchanges. The accumulation of capital requires time ; the mind must be opened, the arts refined, and citizens of every class and temper put in motion. Let not the action of government interrupt the successive expansion of the human faculties ; and let it know that it is a long, nay, a very long concatenation of effects, that produces a quantity of materials.

ON THE MEN WHO INSTRUCT.

IS it ther impossible to reconcile power with liberty, that power necessary to impress on the laws a venerable majesty, with that liberty necessary to the very existence of society ?

This happy equilibrium will arise only from the intimate agreement between the part which governs, and the part which instructs ; it is then that these men, forming a real body by their genius, their knowledge, and their courage, will obtain a gentle dominion over the public opinions.

The statesman who shall perceive the force of this invisible body, instead of contending with it, will make an application of it hardly suspected in our times.

The part which governs ought to respect the part which instructs, that is, should attend to whatever issues from its labours, examine them, follow them, and above all, not presume to be better informed in these particulars than itself.

A state cannot subsist without knowledge.— To become the concealed enemy of those who search after truth, to persecute them, and to affect a contempt of them, is to proclaim a dread of

of the public monitors ; is tacitly to avow, that the operations of those who govern, cannot bear the inspection of reason ; is to dissolve the union which ought to subsist between those who seek to do good to men.

The body which instructs has constantly benefited statesmen ; it has considerably abridged their labours. Nature, an attentive mother, always casts some thinking beings amidst the most ferocious multitude, and in the most barbarous regions. These were the privileged beings, who taught the first arts, who sketched out the plan of infant society, who dictated those laws which, though rude, were less fatal than those modern and refined laws, which have laid the majority captive at the feet of the minority.

When those who govern no longer respect talents, probity and genius, those endowed with these excellences will, in their turn, cease to pay attention to the rulers. They become no other than instruments of pride and violence ; and the virtuous man, beholding in this discord, the bonds of society nearly broken, rebuilds the moral code, and lashes with contempt the legislator and the laws.

This is what Tacitus has done, in that fine

passage which I cannot forbear citing, where he avenges the memory of Rustinus and Senecio, who had written an eulogy on Traeas and Flelvidius.

“ The death of the authors, says Tacitus, was not deemed sufficient ; their books were burnt, as if man’s thoughts perished with his body. Philosophers were proscribed, from a belief, that the love of virtue would be extinguished with them. Despotism abused our extreme patience, and grievously scourged a nation that showed a servitude equal to its past courage. An army of spies and informers surrounded us ; it was as dangerous to hear as to speak ; and we should have become insensible to our miseries, if we could have obliterated the memory of events.”

Such is the energetic picture which this great master has traced. We are placed in a happier age ; but every thing may change in an instant ; authority (and history at this makes us shudder) may degenerate into despotism. A thousand causes, which corrupt kings to their own misery, may, by deceiving them, involve states in the deepest misfortune. I do not say that we are threatened with this disaster, but it ought constantly to be held up to view. The part which

which governs has falsely imagined, that it alone was entitled to all the respect, and has endeavoured to ridicule the part which instructs.

It greatly injures itself ; for the law ought to rise from the bosom of the nation, that is, from the enlightened portion of the people, and receive sanction under the canopy of the throne. Then, it is truly good, for it is the public voice.

This breath of genius has an invisible action, especially since the invention of printing. It has been called the philosophical spirit ; it will assist every man in power, who will receive it for his monitor ; it will reign over his mind without enforcing subjection ; it will inspire him, as it has inspired all the true friends of men, from Socrates down to Montesquieu : It led the one to sacrifice his life to the most venerable cause ever maintained ; it made the other to support the most obstinate labours, and to penetrate a thorny and obscure path, where no person in France had travelled before. Montesquieu, endowed with the clearest and profoundest understanding that ever was displayed among us, has changed the ideas of his age, has dissipated political prejudices, and the good which he will produce is undoubtedly only begun.

Why then this secret persecution, which the pride of men in power has lately raised against

writers dear to the nation, and useful even to those who affect to despise them? Why give the signal of a shameful and fatal war which will disunite men, formed to listen to each other, and to communicate their ideas and their views? If the true character of virtue, as a philosopher said, be not to cast the smallest ridicule on whatever springs from virtue; why should the man in power deny his esteem to the profound labours which tend to remedy the miseries of his country? Have not those who govern, and those who instruct, the same aim, and the same duties, and do they not come forward to be judged by posterity?

As often as I have mentioned the part which governs, I have supposed it to be numerous, and it really is so; for it consists of all the agents who concur to enforce the adoption of the general will.

In this view, the monarch, or the legislator, is often, notwithstanding his preponderance, only the thousandth part of the government of his state; because all that was instituted before him, all who surround him, all who speak to him, all who instruct him, all who determine, more or less, his actions, form really the body of legislation or of royalty.

It is expedient to have a precise idea of all those

those little scattered wills which long contend, and then unite and compose the will of the prince ; to know *that* the law, which he signs, is not his own, but the expression of the will of a certain number of men who have coalesced after a multitude of disputes. The law has always been composed, prepared, minuted, and written in different stiles before its promulgation.

It would be pedantry in a placeman to believe and imagine, that a person not in office is ignorant of its functions, as if the conducting of empires could now be a matter silent and secret ; as if all the political manœuvres they can play off, could not be divined ; as if the manners of a people were not public and stamped ; as if the character of statesmen was not known ; and, finally, as if all those events, which command general attention, could only be appreciated by a few privileged mortals, who yesterday enjoyed not this happy faculty, and who must have received, in a manner, the intuitive revelation by the hands of a courier.

There is another piece of pedantry, which is busied about little expedients, that lose themselves in pitiful details. Montaigne observes, that during the greatest calamities of his country, at a time, says he, when there were no laws, no justice, no magistrate who ex-

ercised his office, a person took it into his head, to publish some wretched reform of doublets, breeches, head-dresses, and city-banners.

It is the same with those who listen only to their predilections or aversions, and, without comprehending the whole of a plan, run after pamphlets, and take alarm at the import of a few expressions. They extract opposite reasonings from the same principles, they decide too much in conformity to themselves, and according to their own partial views. Who does not feel the impropriety of a person in office giving a verdict ? The minister must then pronounce like a man under the dominion of passion, or like a man indifferent with regard to the issue, dispositions equally pernicious in a judge.

The search of truth is beneficial to a sovereign ; for it is this that restrains those violent concussions which agitate the human mind.

And who can withstand the force of evidence ? Is it granted to man not to open his eyes to the sun, not to behold the star of the universe overflowing every corner of the earth with a luminous torrent ? Does truth depend on times, on places, on circumstances ? Will it spare man whose life is transitory, that truth which by its nature is immortal ? Raised to the throne of the divinity, his reason is the eye of the mind, formed

formed to discover and to ascertain immutable truths.

The friend of truth would believe that he should betray the human race, if he did not plead its cause before the tribunal of ministers. As it appears criminal to them, he reckons it his duty to justify it in their presence.

Why ought reading and the press to be free ? Because the privilege of writing is derived from the liberty of thinking ; and because God having permitted the invention of printing, it is a magnificent gift of his providence ; for the propagation of knowledge links to those moveable and multiplied characters, which it is not in the power of tyranny to annihilate or even to restrain.

Truth will never be pernicious, however opposite it may be to the opinion of the day. From the rational collision of opinions springs truth ; and what man in this lower world, from the monarch to the meanest subject, can say, “ I have no need of truth, I love not truth ? ”

OF INSTRUCTION IN POLITICAL SUBJECTS.

PUBLIC instruction is the guide of the statesman : Must not he be strangely, nay, stupidly prejudiced, if he fancies that he perceives all

the details, and therefore neglects instruction so necessary ? And where shall he obtain it but in the relation of those who have seen, reflected, and examined ; and who, writing in the face of nations, have no other motive than the pleasure of discovering and publishing truth ?

He will draw instruction from history, it will be said. But in these times another guide is wanted ; it is hardly possible from history to acquire instruction relative to modern governments. The reason is this :—

The infinite number of past events will not correspond, or at least will very seldom, correspond with the infinite diversity of human actions. These are always more multiplied than ancient examples. Examine all the empires, the kings, the ministers, and the men, who have appeared in past ages, you will not find the occurrence of any one moment, which can be brought to close exactly with any recent fact.— There will always be some circumstances to occasion an extreme disparity ; and, besides, in events we should be more interested by their moral, than by their physical nature. In a moral view, the same action may be totally changed, A king dies in a certain posture of affairs, he loses his life by accident, or by the issue of a conspiracy ;

spiracy ; it is not so much the epoch that will determine the series of facts, as the multitude of accessory circumstances and events.

Past events are dead, and can scarcely ever speak to the present generation. They may be compared to old family pictures, mute and inanimate, before which the children play a thousand frolics, under the eye even of their venerable ancestors. Besides, it would seem that nature, in the infinite variety of characters she exhibits, delights more especially to display her omnipotence by never repeating.

The affairs of this world are transacted by men ; passion transports them, and the historian, afterwards, imagines that they were guided by policy alone. The historian is deceived : these titled men have obeyed little and vulgar passions ; for an elevated rank confers neither prudence nor wisdom.

The living generation requires, therefore, a regimen peculiar to itself : It cannot be guided by ancient and foreign maxims ; the wants it manifests demand attention ; its present utility, above all, ought to be consulted, and as soon as its cries or claims are heard, the political management should be instantly changed. It is a susceptible body, and the accent of pain should be heard in preference to every political maxim.

Nothing

Nothing is more absurd, more cruel, more unjust, than to sacrifice the present generation to the well-being of future generations, admitting the success to be demonstrable.

Irrefragable principles, in the government of states, are extravagant and monstrous ; they should vary according to the complaints of the suffering party. To adopt an unpliant theory, which resembles the resistless conclusions of geometry, is to confound the human race with inanimate objects.

There is something stronger than the laws and the power of a prince, than the force of his armies ; it is the habit people have, of adopting ideas which appear to them reasonable. A new motive for respecting the impulsion made by the enlightened part of the community on the minds of men.

The people really perform half the work ; they come voluntarily forward to close the political knot. It is, therefore, the utmost imprudence to insult the natural tendency of men to obey. They are exasperated, and, from being gentle and docile animals, become furious, and will no longer be led.

Thus the action of government appears necessarily composed of two efforts nearly opposite. He who can only act will have few ideas, and

and he who can only meditate, is hardly fit for action. It is requisite, therefore, to listen to reason, in order to learn how to surmount certain difficulties ; and the hand of the workman should, in its turn, instruct the head which combined the operation.

In this way we might terminate the old dispute, between the part which governs, and that which instructs. A writer should be permitted to publish his ideas in their full extent, provided the form in which they are conveyed, should not degenerate into a libel, which is always mean and odious, and which takes from truth its ordinary ascendancy : and the governing body ought to have the liberty of choosing or rejecting at will, among the multitude of these different ideas. But government should never punish its admonitors for discourses more or less meditated ; for it is the last stage of tyranny, to be ignorant and jealous.

This pacification, I dare aver, would be advantageous to every place-man : the functions of writers, and of ministers, would be completely separated, and would thus concur more effectually, to promote the public good. This is the moment, or never, to establish harmony between the two powers. Is it not the best interest

terest of administrators, to avoid carefully, the appellation of timourous and dastardly tyrants ? and has not tyranny, which forbids the mind to soar, appeared, at all times, the most hideous, because it fetters that liberty, which, concealed in a remote corner of our soul, informs us, that thought is, peculiarly, the precious attribute of our being, and that the lowest debasement consists in its constraint and thraldom ?

No appellation is more dishonourable in Europe at present, than that of arbitrary dominion. Those states, where the press is shackled, are debased in the opinion of the people ; their inhabitants are deemed slaves : they are heard to curse their chains ; for the body which teaches or writes, cannot be oppressed with impunity ; the actions of these public men, come under the supreme tribunal, where all the deeds of those who govern are judged.

It may be announced with an air of triumph and joy, that since this universal explosion of thought, the blood of men is more spared than ever. Philosophy (and it is this alone that has curbed the universe) philosophy has restrained that high exercise of authority which crushed the human species ; and humanity, more free, displays a countenance more worthy of its noble origin ;

origin ; the violences which may be committed upon it will not, at this day, be passed over in silence.

The progress of society, not between man and man, but between nation and nation, is still in its rudest and most savage state ; this new sort of civilization must be the work of luminous and sublime books, which will be written on this important subject, the most magnificent that can be treated, and calculated to open new sources of felicity and peace to the human race. But this civilization must first be delineated in theory ; and never was there one more novel, or more interesting. This civilization of states is not only practicable, but must be easier to accomplish, than that which bridled the ferocity of individuals ; for when an inclination to peace shall become the ruling principle of five or six great nations, the rest of the world will enjoy repose.

Let it not be asserted that books produce no effect : experience proves the contrary ; their influence is great. The pamphlet entitled *Common Sense*, is confessed by all the Anglo-Americans, if not to have caused, at least to have decided and hastened, the famous declaration of the independence of America. The minds of the colonists were still wavering and irresolute, when

when this literary production fixed their views, and prompted that great event. It cannot be denied, but the simple and natural eloquence of this book, had a distinguished and glorious influence on the policy, or rather on the fate of the Americans, by augmenting the number of their partizans; and the philosophical author gave a general shock to the political world, which has given birth to a great empire, and a new order of things on the wide surface of the western hemisphere. Thus the voice of a single man, who chooses the proper season, and treats public affairs with dignity, seizes the minds of his fellow-citizens, and determines the fortune of nations.

It is to be hoped and believed, that literature and the sciences, spreading over the globe, will tend to unite the vast family of the human race, by extinguishing national prepossessions and animosities, and by bringing into disrepute those old codes, the children of ignorance and barbarity. Benevolence will extend itself under the benign influence of these kind divinities, and men will no longer be divided by stupid prejudices, which retard all improvement. The sciences will be the common benefactors of all nations, and the most distant people will participate in the lights of this philosophy, which is

is nothing else than instruction, or the culture of the mind, applied to the happiness of men.

FALSE DENOMINATIONS.

AS in geometry, it is said, there is a circle, a square, a triangle, and an octagon ; in like manner attempts have been made to subject all political states to rigorous forms. No attention has been paid, either to the mixture of different powers, or to the balance of those particular bodies which constitute the state. As soon as a publicist had pronounced, that a certain state was democratic, there was no appeal. According to this publicist, the state was always free, while, excepting the day of an assembly, rather of a ceremonious, than of a political nature, it was molested by a multitude of little aristocrats, who had finally muzzled it on every side.

Denominations must, therefore, be laid aside, to give place to a more rational investigation.

It must not be said, that England is a republic ; for England bears not the smallest resemblance to the Roman Republic, to the republic of Sparta, to the Venetian republic, to the republic of the Swifs, or to that of Holland ; we ought to say it is a fine government, and the least

least imperfect of all those of modern times. Other governments must be qualified in like manner, by the names of weak, moderate, quiet, patient, oppressed, subjected, or aware of their slavery.

The English and the Swedes are free, under their kings: the Dutch are so, under their Stadtholder; and in Germany, the people have their privileges still existing: the Germanic body is a vast federative republic, under a common chief, who is by no means a despot. Why, for nearly a thousand years, has this body maintained its independence, and that of its members? Why are not the Germans sunk to the condition of Russian slaves? How happens it that the Germanic body sees the flames of war lighted up between the sovereigns of Germany, without apprehending that the constitution may suffer, or run any risk of being impaired? It is, because there are a multitude of laws, protected, defended, and explained, by a multitude of jurisconsults, whose ascendancy is superior to the force of arms; it is, because there, political law is, and has long been, a constant study; it is, because the laws act there in a surprising manner; it is, because public jurisprudence, the idol of their universities, is there the most esteemed, and the best investigated science,—a

new proof, that the people themselves make the laws. The Russians, who have never chosen to apply to any study, have paid the forfeit of their voluntary ignorance.

We talk of a monarchical government ; but in good truth, did the authority of government ever reside in a single man ? It is said, that he imitates the paternal authority ; but is not this, as I have already observed, an abuse of words ? It is also said, that he is a lively representation of the empire of the divinity, who alone governs the universe, without sharing his power with any other being. Kings themselves, if they have but the shadow of common sense, will perceive the exaggeration of this image, and will see how much the comparison is defective. Others say, that it is better to have one master than many ; but in a monarchy, people obey several masters ; for several command and speak in the sovereign's name, but they speak when he is silent.

Let me be told of a centre of unity, in which all the powers of the state are collected, and such a government I shall comprehend : the only way, in which it can be proper for a political body to be governed, is by the action of a single mind ; but the national mind, and the

government of a single man, are two things as widely different as possible.

When a monarchy becomes tyrannical, it is because the people are fit to wear chains ; it is because they have deserved to lose their rights, by their loss of energy, and by their disdain of useful knowledge. Tyranny is not of long duration when the people preserve their virtue ; and the horror of oppression will always produce one of those revolutions, so well calculated to hinder those who govern from making a bad use of their authority.

An aristocratical government resides, it is said, in a senate composed of members chosen and elected out of the class of nobles ; but aristocracy bears hard on the whole of Europe ; for Germany, France*, Poland, Russia, and Denmark, are still groaning beneath the weight of signiorial dues and feudal obligations, while the aristocracy of Berne is mild and prudent, and while the Swiss peasantry are protected by an aristocratical senate, which, elsewhere, bears so hard upon the common people.

A democratic, or popular government, takes its magistrates from its own body, by the way of election, reserving to itself the right of cashiering them, when it thinks meet, and of punishing

* This fragment was written before the revolution in France.

punishing them, when they make a bad use of their power ; but where is this happy democracy to be found ? Amid a few icy mountains in Switzerland, where absolute poverty renders every citizen the equal of the rest. But little was wanting to overthrow this democracy of Geneva ; for, wherever there is an inequality of riches, democracy becomes the most imperfect of all governments. The common people, left to themselves, grow into a monster, with more heads than the hydra of the poet.

How many times has aristocracy been changed into democracy ? And how many times has the latter, too imperious, and too insolent, degenerated into an extravagant system of tyranny ?

I see every where, governments momentarily changing their form : the disposition of the chiefs models states, and imposes on them the alternatives of liberty and oppression. Among men, factions and parties change the mode of thinking upon the government, which is now exalted, and now debased. The part which governs is indifferent as to the name bestowed on it, when it knows how to conciliate affections, and to answer with dignity for the deposit entrusted to it ; never will disobedience characterize a wise government ; and the sovereign, great and generous, may reckon on the prompt

obedience of his subjects ; for where is the nation that esteems not repose and happiness ?

A *living* authority is indispensable. It is the interest of every citizen, that it shall explain itself, shall act, and shall inflict vengeance on the violation of the laws. In every form of government an authority, such as this, ought to take reason for its guide ; for the body which shall give utterance to public reason, will, in the event, predominate over all others.

When Plato said, that republics would be happy, if philosophers were kings, he meant to designate, by the word philosophers, the enlightened part of the community, and, by one expression, defined true government ; for if kings were to become philosophers, the well-informed citizens would be governed by their own opinions, and it would be impossible that the greater portion of the citizens should not become well informed.

The worst princes are invariably those who display great littleness in the midst of magnificence, that is to say, they are those who, not knowing how to entertain a proper respect for their own subjects, degrade the nation through one or more of its members, and consequently destroy the respect due to the national chief. By elevating a state, the monarch elevates himself ;

self; and far from dreading the knowledge which is universally and *thickly* diffused, he ought to know, that by this very knowledge he will reign peaceably and gloriously. Men are naturally propelled to obedience, when the government is gentle and moderate, and such a government will be constantly strengthened, whenever, the empire being wedded to public opinion, it shall, in concert with the latter, destroy the little tyrannies, in the annihilation of which the sovereign and the people are equally interested. The part which commands will meet with no obstacles, when it shall proceed conjunctively with the part which is governed.

Monarchical government undergoes several modifications. The Grand Seignor is a monarch, and the King of England is also a monarch; and these, notwithstanding, are the two extremes: limited monarchy is very different from, not to say entirely opposite to, absolute monarchy.

The government of a single chief is almost always chimerical, and most frequently exists at a certain point of time only.

Aristocracy, which is the government of the great, flourishes, more or less, in all rich states. Democracy, which is the government of the whole of the people, lurks in certain mountains among poor assemblages of men. But these go-

vernments, in approximating each other, assume an infinite diversity of shades, and all of them are good, according to times, places, and men. Absolute democracy is, as well as absolute monarchy, a creation of the brain, since men, however little they may be enlightened, cannot suffer extremes.

In the midst of the age of Louis XIV, which has been too much praised, did not theocracy, by which is implied the government of the priests, spring up in France? And did not these priests dictate all those intolerable edicts, at which ages still to come will shudder?

When the enemy, in a manner, knocks at the very doors of the state, then appears timocracy, which implies the government of the soldiery. It is very visible in several cities situated on our frontiers, and I have recognized its presence in times of the profoundest peace: what then does this timocracy become, when war gives it its full scope?

Since the system set up by the financier, law; since banking and jobbing have, more or less, perplexed the fortunes of all who are wealthy; since nothing has been done unless by money; and since the direction of its course is become a complex art, oligarchy (by which is meant the government of the rich) has spread over every part of France.

France. Those who possess wealth are respected; and for them, and by them, every thing is managed.

ERRORS IN THE DIVISION OF GOVERNMENTS.

THE division of governments, denoted by the words monarchy, aristocracy, democracy, olygarchy, and republic, is erroneous, and has cast men's minds into an ocean of contradictions.

All governments participate, more or less, of each other, and have their alternations of grandeur, of weakness, of courage, of prosperity, and of disaster: I see one people rule, I see another submit to dominion. There is, necessarily, a conflict, between the different parts which compose a state; but the balance is easily restored when the government is supportable.

Ignorance is still more pernicious than ambition, and the general will appears to me as powerful in despotic, as in republican states.

It is always the nation that governs; when it is weak and ignorant, it is wretchedly governed; when it is brave and enlightened, the ills disappear.

Is it not universal persuasion, that is to say,

religion, that rules Turkey and Persia ? Is it not respect for the ancient laws that governs China ? What the force of one man furnishes towards the conducting of empires is trifling, in comparison of that national and indelible character which constitutes the government.

The most absolute sovereigns have been sensible of this truth ; they have experienced resistance when they reckoned upon success ; when they afterwards wondered at the height of their power, it was because they had touched the secret string which gives motion to the human will.

When the philosopher reads of the atrocities committed by Claudius, by Nero, by Tiberius, by Caligula, he exclaims, “ If the empire permitted such monsters to hold supreme sway, it deserved its miseries.”

Let us consider, therefore, the spirit inherent in a people, instead of losing ourselves in the chimerical distinctions which arise from the form of government ; this spirit, accurately observed, solves every problem.

Every government is mixt. Those fixed and absolute forms, under which the different kinds of governments have been distinguished and classed systematically, are really chimerical cases. These forms are infinitely varied and changable ;

changeable ; the name remains, the thing alters. Never does a state continue in the same point of force, wisdom, and power, with regard to itself, or with regard to others ; never is it governed half a century the same way, because the governing body must perpetually submit to the reigning manners and ideas, to the fluctuation in men's minds, and because constitutions, the most corrupt, as well as the wisest, are obliged to accommodate themselves, however unwillingly, to the principles of those at the head of affairs.

A despotic government becomes monarchical, or even republican, in certain circumstances ; and a republic has its unfortunate moments when despotism afflicts it.

The chiefs, that is, all those who have a share in the administration, impress a motion on a government totally different one day, from what it had the preceding.

Society, under whatever denomination it be considered, is at bottom only a collection of men who re-act perpetually on each other, and among whom the few conduct the many.

Among nations still savage, men of distinguished courage and intrepidity will take lead ; among a civilized people, those eminent for their acuteness, foresight, sagacity, and talents, will

will instill their ideas into others. All those participate, therefore, in the sovereignty, who contribute to establish the ideas which afterwards serve as a basis, whereon the legislator constructs his laws. The execution of them seems entrusted to a single man, or to a few, but it depends, in fact, on the general consent, which alone upholds them; and when one of these laws becomes superfluous, or appears excessive, the legislator who formed it, dares not revive it, because it is evidently proscribed by the general will.

Thus the words monarchy, democracy, aristocracy, autocracy, republic, ought not to mislead our reasoning. A despotic government may be praised in a certain light, and in certain circumstances; in like manner as a republic affords room for satire, and invective, when convulsed with internal divisions.

Who does not perceive, at the first glance, that all governments have an intimate mixture of good and evil, which it is not always easy to discriminate and weigh when we enter into a close examination of the details? Names change not the eternal nature of things.

Governments might be separated into two classes, and the division would be certainly clearer, and, perhaps, no less just. When a nation

nation is ignorant, stupid, or indifferent about the knowledge of its true interests, evil predominates ; the people are then punished for their unskilfulness, their indolence, their carelessness, and their insignificance. When the nation is enlightened, and vigilant with regard to its interests, it is never really enslaved : nor can it be, since the part that governs, being perpetually watched, cannot act capriciously. The monarch, or his representatives, must conciliate the esteem of a people who then exists politically ; it is impossible to treat them harshly or haughtily, because the nation entertains in its bosom a great number of men who reflect, who speak, who write, who study the respective duties of the members of the state, and who banish languor and apathy, the most dangerous of all political vices. Every measure is cleared up and published ; none of the springs of government can be long hid in darkness : actions are judged from character, and character from actions.

The most violent despotism becomes then, in spite of itself, polished and moderate ; it rests upon habits which take away its ferocity : It compounds itself, in a manner, with the part which it governs ; it yields, it temporizes, it often retracts, and, at times, affords a liberty truly desirable.

All governments experience these different oscillations. Arbitrary power, broken down by an infinite number of little oppositions, diminishes, falls, and gives place to universal reason; and though it retains the ancient forms, they are no better than theatrical representations. It is obliged to conform itself to the will of an enlightened people.

I respect it; every government is mixt. Monarchy has its republican bodies, and a republic its monarchs. From one end of the world to the other, whoever is entrusted with the execution of the laws, whoever is placed in a privileged station by the chief or chiefs, enjoys in a family a portion, more or less, of the sovereignty; and whether he uses or abuses it, he holds in his hands a force, which, though limited and transient, is nevertheless real.

The governing part in a polished society is extremely extensive, since it comprehends all the individuals who conspire to move the political body. Have not the clergy, the lawyers, the financiers, in their turn, moments of almost absolute authority? And has not the voice of the men of letters, in certain circumstances, a marked preponderance, since it blasts wherever it chooses to strike? Finally, what does a multitude of privileges, rights, and prerogatives imply but partial

tial representations of authority? It is never single among an enlightened people; it is divided, and the more so, in proportion, as the state has advanced towards civilization.

We may judge, therefore, of the frivolousness of the disputes, with regard to the form of different governments. Rejecting names, you will perceive every where men assembled, divided into different tribes, and endeavouring to establish among themselves an equilibrium: it fails, it is restored, it wavers; at certain times it is, in a manner, perfect, at others, it is in part crushed. Then its groans are heard, and the injured part calls loudly against the oppression, which ceases or gains strength.

The springs which combine so many contrary motions into one, almost resembling order, are not concealed under the throne of the monarch, but really emanate from many individuals, who, in their different stations of pre-eminence, hold the great political body in repose, or give it the necessary impulse.

The administrators of states are scattered every where; they foster and direct the inciting ideas. Often in an obscure cottage, an unseen hand prepares the will of the sovereign; for that of kings is usually adopted from their subjects.— The royal edict has been composed long before
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the public herald proclaims it in the streets : every one has contributed to it, his idea, his wish, nay, his expression ; and when announced, it is obeyed and respected, only as it is sanctioned beforehand by the public opinion.

The speculations of monitors, whether in discourse or in writing, are what have instructed and prepared men's minds. If the public opinion formally opposes an edict, it is soon forgotten, and allowed to join the useless mass of papers signed by the monarch, and annulled by the nation.

When a nation is vicious, its laws are absurd and tyrannical ; when the people are politically virtuous, that is, determined to raise their voice and command respect, they are always free. But when they forget their privileges and rights, they are oppressed, or, in other words, punished for their neglect.

A large number of good citizens, attentive in watching over the public operations, forms, therefore, a wise and mild administration : but if these citizens slumber in fatal security ; if they forbear to be patriots, and to entertain an ardour for liberty ; if they cease to lament the strokes of despotism ; if they flatter it, caress it, and even justify it, with a view of favouring some one whom they idolise, from their
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very cowardice itself will tyranny take root and grow. It is still more the fruit of national weakness, than of the audacity of the despot.

Real slavery can never exist among a thinking people ; if they are oppressed, they must be destitute of ideas : ideas are the true rampart against tyranny, which is so contrary to reason. There remains in the heart of man an asylum for liberty, from whence it will spring nobler and statelier.

Public manners are the mirror which reflects the true constitution of a state. Is a state subject to disgraceful, antiquated, unreasonable prejudices ; is it destitute of knowledge, which it rejects to grasp at superstition ? whatever may be its splendour, its extent, its janissaries, pronounce that it is weak and near its ruin, if it be not speedily regenerated. A state disgraced is a state half subdued : but if it maintains principles founded on pure notions, if it knows the arts and respects them, be assured that authority, how formidable soever may be the pomp with which it is surrounded, can only produce good, or diminish the sum of past evils.

Let us stop then to examine the aspect of a people ; let us weigh their knowledge : this is the root which will attach them to the soil, which will bestow on them the force to resist forms.

storms. They cannot be shaken while the genius of the arts shall quicken the industry of each individual. It is the expansion of the moral forces that will give a firm support to the empire.—. Let us banish those vague words which engender so many sophisms, and equally justify both sides of the argument. Experimental polity rejects these imperfect theories, where contradictions arise at every step. Let us shut our books, and enquire whether a nation is enlightened or stupid.

Liberty must necessarily be the companion of instruction : if this be diffused through several classes of citizens, they must infallibly enjoy the corresponding degree of liberty. The body is never reduced to servitude, where the mind was not previously enslaved. If the people place a curtain between themselves and the operations of government ; if they consent to take off their eyes from the conduct of their chiefs ; if they expect every thing from them, themselves wrapt in profound ignorance or indifference ; will the names of democracy, republic, and aristocracy save them from slavery ? And what matters it, though the monarch bear the title of despot, reigning by the divine commission, if the people manifest a resistance to whatever cramps their natural situation, if they compel their sovereign to

to respect their temper, if they stop his career with pamphlets and epigrams.

Nothing can debase the sentiments of a generous nation, when it accumulates many ideas on government; when this important subject warms and interests it; when it catches whatever relates to the branches of administration. Moral knowledge is the permanent foundation of all finished society. Vulgar polity, which acts by deceiving, which covers itself with artifices, is calculated only for the fleeting moment; it may extricate itself from a false step, but will fall into the same predicament some time after. True polity includes the sum of human knowledge; and lastly, the force of a people elevates them, enables them in their own eyes, bestows on them a proud regard for their own generation, and by this expedient, comprehends the felicity of generations yet unborn.

If the sovereign esteems the nation, the nation will esteem him, and this union will create on each side a more than ordinary force. The abilities of a people may be increased, like those of an individual, by applauding them, and expecting much from their genius. We may induce men to perform any thing, if we do not mortify them; the way to aggrandize them, is to respect them; the way to render them peace-

able subjects, is not to seem to dread their force, and not to thwart their talents. That a nation be great, it is requisite that it contain many great men. Exalt it in the individuals who compose it, if you would create prodigies? Tremble to oppres the smallest industry; it will be a loss to the state.

POLITICAL VARIETIES.

POLICY, which at the first glance may appear to be founded on reflection, has, like every other operation of the human mind, its caprices and its absurdities. Principles, the offspring of chance, of the moment, and of opinion, are brought forward without a rational forethought. Here a woman commands a savage nation, where the women are despised: there they are excluded from the throne, in the country where they have the greatest ascendancy, and where ranks and laws, where, in short, every thing is subjected to arbitrary rules, that have custom only for their title, and for their excuse antiquity alone.

Some laws are derived from climate, the influence of which, however, Montesquieu has pushed too far.

What

What may with greater justice be advanced, is that the extremes of heat and cold appear to extinguish the imagination, and to confine it to such primitive discoveries as are the offspring of necessity.

Here the *spiculae* of ice, those sharp particles, imperceptible to the sight, with which the air is filled, convert man into a passive being: he cannot call forth his industry, obliged, as he is, to live in a close smoky hut, and to shun the air, which, like a sharp-edged weapon, fevers his toe or his finger as soon as he ventures abroad. There the heat enervates the body, and induces to indolence, the sun exhaling through the pores of the skin what ought to feed the vigour of man, and leaving him the strength alone to exist.

In certain countries the arts continue in their infant state, and cannot be advanced towards perfection, because necessity can take but a limited flight; and wherever the climate is in one of the extreme states, it influences the character. As soon, however, as it loses this *energy*, the influence ceases. Where the exceptions are frequent, these reasonings are reduced to ingenious conjectures: the genius, the manners, and the character then belong to the legislation, and the searcher after nature, who can have no-

thing further to say, ought to yield to the moralist.

The Arabs have bestowed a certain share of authority on their chief, merely because they are always engaged in war. That this authority, which is pretty extensive, should subsist in an independant nation, fond of its liberty, contemning riches, and inured to fatigues, must, at first sight, reasonably excite surprise. But this nation was sensible that it needed a chief, who should be a point of union to the national wills, and who should be the first to act, and to undertake all warlike enterprises. As the Arabs are divided into tribes, the nation, without an absolute chief, could not have composed a collective body. Thus in countries where men are haughty, free, poor, and superior to luxury and effeminacy, has nature set up a kind of despot, whose authority may be said to equal that of a sultan ; and this despotism is as different in its effects, as it is in its causes.¹

The most simple laws are calculated for men who have few wants, and who are thinly scattered over the surface of a territory destitute of practicable high ways. But when men press in crowds to the same point ; when they enter cities, as flocks enter into the fold, in compacted bands, then do laws become temporaneous and changeable.

changeable. To him in whose hands the public force was deposited, it was, therefore, easy to impose restraints on these numerous bodies of men who, being swayed by separate interests, resemble those insects that reciprocally devour each other.

A fact which cannot be questioned is, that empires have been founded by industry, and the practice of virtues: we observe in the sequel, that the foresights, the inquietudes, the alarms, the prejudices, and the chimeras of placemen are not capable of sustaining these very empires. The reason is, that the multiplicity of laws, hastily enacted, become burthensome; and, as a futher reason, laws can alone possess vigour, when they at once embrace customs and manners. The source of the earliest laws arises from the abysses of nature, as rivers flow from the fathomless cavities of mountains. Aristotle describes man as a political animal, for this reason, that he is so of himself, and without any extraneous assistance, since he lives in society, and has at his command the reproduction of the gifts of nature, and since he extends the perfectibility of human nature, and is consequently susceptible of all the social virtues.

It was the nation itself, before statesman were known, that adopted the plan of society, and

converted it into an almost universal law. Long prior to political institutions, man of himself understood what was needful for his government and defence; and society was then, if I may be permitted to speak figuratively, a squared block of an equal dimension. Policy has changed it into a sharp pointed pyramid, the base of which has become so disproportionately extensive, as to have crushed a great number of individuals.

Governments, or, to speak more correctly, laws, have been contrived by men merely in defence of their liberty, because it is in the very nature of things, that despots should spring up. Every power exercising and extending its action until its progress is arrested, it follows, that absolute authority is in its origin unquestionably derived from the natural superiority of a man, who, in the sequel, abuses the power delegated to him, either by himself, or through his representatives.

Nations have lost the recollection of the forms of government they had themselves instituted, and which they still preserve merely by instinct. To genius, courage, and talents, they have invariably paid the momentary tribute of their obedience. The former of these exercises a legitimate and predominant sway over the minds

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of all; while courage, which, by its resistance, is able to contend, and does effectually contend against the encroachments of power, is also the resource of the political body. Every nation must be sensible, that good can arise out of the law of equilibrium alone. Nothing but the dread of groaning under a yoke more insupportable than that the shackles of which they are desirous to burst asunder, can render nations patient and submissive; and their forbearance and tolerance of injury do not always arise from cowardice, but from prudence: the scale of mischiefs which despotism, that is to say, the abuse of force, constantly at the command of a tyrant, may produce in a moment of rage and licentious madness, has, in our days, been appreciated. The despot might fall, it is true, but in his fall he might do a vast deal of mischief, a fact which the people divine instinctively: when it does not oppress them with too great a weight, they respect even despotism itself.

It would be a curious undertaking to compare together ancient and modern legislations: ancient nations were governed by themselves; the modern ones are governed by monarchs.

To be fitted for a legislator, it is necessary to be acquainted with the inherent disposition of

man, and to observe all the impressions he receives from nature and society.

A simple and rude nation, in approaching towards perfection, will perceive of itself that the usages to which it has heretofore consented are not sufficient for its wants.

How can the happiness of a nation be secured by laws ? Place a man of genius among a savage tribe, and he will find it impossible to modify, in a sudden manner, such an assemblage of individuals : it will be incumbent on him, as he will find, to spare the prevailing usages, since, in the progress of human intelligences, there can be no sudden and violent start. Where there shall be a want of resistance, it will be impossible for him to command. How can he give to this tribe an impulsion which shall draw it towards the aim he has in view ? How is he to hasten the degree of civilization, provided it does not accord with the disposition of the people ?

However rare and astonishing the power of legislation may be, it cannot create the first germe, which it can alone develope : to the end that they may make a rapid progress in the social virtues, the people must voluntarily adopt laws. We have read of the existence of savage laws among the usages of a civilized nation, because

cause the latter has made a rapid progress onwards ; but we have never heard of wise and humane laws among savages.

Never will chance come at the profound combinations of a good system of laws. The *chef d'œuvre* of legislation has a particular scope among a new people with whom there is nothing to destroy. If the new ideas are not resisted by any particular prejudices, they will be received.

But societies of long standing will make a greater resistance to the views of the philosopher ; and it ought to be observed here, that legislators who have been bred in a polished nation, can never seize the passions of a barbarous race. Never did an incorporated nation admit of an absolute institutor from without, on this account, that it is impossible for strangers to bring about the revolution they may meditate, the obedience of subjects taking its solidity from habit.

There is a certain progression of ideas from which nature never deviates ; and it has never occurred that any nation has received all these ideas at once : successive developments are required ; and a gradual progression must be observed, before reason, universally diffused, can in a manner convert in sentiment a whole nation

tion into one individual. *In consulting history,* I observe several legislations, borrowed from its neighbours, to reside in the same nation. But with respect to the Chinese, a race of men who, keeping altogether to themselves, have shunned all communication with the universe, their legislation is a long and uninterrupted succession of the same spirit and the same character.

One sovereign alone cannot therefore rescue from barbarism a whole nation ; and when the flambeau of the arts shall once be lighted up, he cannot plunge it again into its primeval state.

The Czar Peter would have effected nothing had it not been for the illustrious reigns of two females, who, thirsting after glory, succeeded him in the supreme authority, and combined with the energy of his character a greater degree of mildness and humanity. In Russia, however, the ferment of the arts has been able to act on that alone by which the throne is surrounded, the bulk of the nation not being yet prepared to throw off its natural rudeness of character.

The legislators of ancient republics, who, by way of distinction, particularly bestowed the title of the virtues on a love of poverty and a contempt for riches, would be not a little surprised, at this time, to see nations gaining an ascend-

ascendancy by commerce alone, and making the acquisition of riches their principal aim : to see money converted into the price and equivalent of all services, nay, of every virtue, keeping in its pay bravery and patriotism themselves. Those who govern, and those who are governed, have alike no other incentive ; and man, as an individual, esteems himself happy in proportion to his riches only, which are, at the same time, considered by states as the measure of their strength and the pledge of their security.

This is a perfectly novel policy. If the ancient legislators had been told, that the aim of every political society should be the acquirement of riches, could they, without surprise and indignation, have framed an answer ? Would they not have said, that by such a system men must infallibly be hurried into excessive avarice and extreme luxury ; and that the fatal consequences of these excesses would and must be felt, to their certain destruction, by the nations themselves ?

A book, such as that produced by M. Necker, would certainly have surprised Lycurgus. He would have been able to form no clear idea of an administration founded on calculations more or less usurious, and the whole stress of which was laid on money bags. He would every where

where have sought for that principle of perfect equality, the very shadow of which he would have searched after in vain. He would have heard of nothing but the exchange of the riches of every quarter of the globe, and of blood shed on the seas in the name of commerce. He would have considered this book as the boundary of the corruption of nations deeply degraded, and ready to become the prey and the vassals of the neighbouring nations.

And we, notwithstanding, live in the midst of this corruption, and every thing goes on with activity and success. Money is the common token of all commodities, and the medium of all exchanges: through the commerce of money a nation may be deprived of all her natural productions, which may be removed from the eye that saw them grow, and from the mouth of the cultivator left to perish with hunger. The taxes are not paid in kind;—he who dresses the vine must squeeze gold out of the grapes of his vintage. O Lycurgus! when thy legislating brain reflected on all the modifications of the human species, didst thou ever obtain a glimpse of such a discordance in political harmony! It exists, and to us is not even a matter of wonder.

OF NATIONAL COURAGE.

THIS is the virtue to which every thing yields obedience ; it is the surest rampart of states, the most infallible pledge of public liberty. Instead of expatiating on this subject, it will be better to quote an illustrious example from the Roman History : no circumstance, perhaps, places the intrepid genius of that people in a stronger light than the first punic war.

It was less a contest of strength (says Polybius in describing these two nations Rome and Carthage,) than of animosity : if the Carthaginians gained not the victory, they believed themselves vanquished ; if the Romans were beaten, they still made the Carthaginians tremble. Rome wished to drive them out of Sicily, because that province was too near Italy not to raise apprehensions in the senate lest their settlements should gain such a footing there as might one day prove formidable. The Romans projected, therefore, the conquest of Sicily, and they effected it ; but scarcely were they masters of that island, when they perceived that, after much expence of time and blood, they had not yet obtained their object. Carthaginian fleets

lined all the coasts of Sicily, and hemmed the Romans in their conquests themselves.

There was only one expedient for Rome in this critical posture of affairs ; it was to establish a power at sea to preserve what it had acquired on land. But the republic had then neither mariners, nor pilots ; neither ship-builders, nor arsenels ; they were without any knowledge of the coasts, of the winds, and of the seas : and even could vessels have been purchased in the adjacent countries, Carthage, more opulent than Rome, would have agreed to so high a price, as to deprive the latter of this resource.

Chance, that unknown spring of the greatest events, came to the assistance of the Romans. A Carthaginian galley, driven thither by a storm, was wrecked on the coasts of Italy ; this suggested to the Romans the idea of forming a naval force. Every thing was wanting for the execution of this design ; but their penetrating genius, and their inflexible resolution, triumphed. Patience and labour supplied each want. They drew the galley to the beach, and examining it attentively, through the quickness of their genius, obtained a knowledge of its mechanism. At first, the unskilfulness of their workmen formed a very clumsy imitation of the model ; but such was their promptness, activity,

activity, and zeal, that, in the space of two months, the republic had a fleet of an hundred and twenty galleys, a prodigy unparalleled in history.

It may well be supposed that these first masters in the science of government were unexperienced, and could form but very indifferent scholars. Yet the consuls embarked in this fleet with as much confidence as if it had been Carthaginian. They found the secret of inspiring the troops and the crews with their courage, or rather temerity.—And this was no difficult matter with the Romans.

One of the consuls, setting out on a secret expedition, was met by a Carthaginian general, who, not daring to fight or attack, deceived him by a mean artifice, and surprised him with seventeen galleys. Perhaps this check was necessary to rouse all the Roman valour by the most lively and just resentment. The Carthaginian general needed not his victory to treat with a sort of disdain a people that had newly ventured on the sea ; but he forgot what courage can effect. Shortly thereafter he descried the Roman fleet in a very narrow bay ; he advanced boldly to view them, and the Romans came out with equal resolution to fight. They did engage him, and, what is most surprising,

rising, dispersed his fleet, and sunk a number of his vessels. The name of the victorious consul, who so successfully avenged his colleague, was Dullius. As Rome had no navy before, this was evidently his first campaign. It therefore became necessary for him to study an art with which he was unacquainted. He was filled with apprehensions in reflecting upon the inferiority of his fleet. The fear of the dangers to which this disadvantage exposed him, sharpened his genius, and led him to seek the method of rendering the contests equal. He invented a sort of grapple which secured the vessel attacked without the possibility of its being disengaged ; and by this happy contrivance, naval actions became contests between man and man on a firm footing. On the strength of this resource, he conceived the hope of victory ; he advanced towards the Carthaginian fleet, came up with it, and made the attack.

At his approach the Carthaginians remarked something uncommon on board his galleys ; it was the machine intended to throw the grapple and accelerate the boarding of the enemy. As it was new to them, they could not imagine what it might be. Their superiority of force dispelled their scruples, and they advanced, determined, at all events, (says Polybius) to engage.

gage. Their fleet consisted of an hundred and thirty sail, and was manned by a people of consummate skill in naval affairs. That of the Romans amounted only to one hundred and three, their crews unaccustomed to the sea, and without nautical experience. The boarding decided the combat ; and victory was complete on the side of the Romans. The Carthaginians lost fifty galleys, taken or sunk, the superb galley even which had conveyed Pyrrhus from Greece to Italy. The Romans killed 3,000 men, and took 6,000 prisoners. The commander of the Carthaginian fleet owed his life to an artifice which saved him from the punishment of the cross, the usual fate of the unskilful or unprosperous Carthaginian generals.

In the mean time Dullius gave to astonished Rome the spectacle of its first naval triumph. What intoxication of joy ! The senate judged the event so extraordinary and so important, that they transmitted the memory of it to posterity, by a column, facing the south, which was erected on this occasion : it exists at this day. It is constructed of very beautiful white marble, and bears an inscription describing at length the combat of Dullius ; as if time had delighted to respect a monument which instructs the governors of nations in the art of

rewarding great talents, and of inspiring a respect for them.

The triumph of Dullius was complete ; but in proportion as it was signal, it became a surer pledge of the vengeance which the Carthaginians would seek to inflict. The fight of Ecnome, so well described by Polybius, presented an occasion. Details do not enter into our plan ; we wish only to mark the spirit of a celebrated nation, and the great example of courage which it has exhibited to the whole world. It will suffice, to give an idea of the two fleets, and of the two armies embarked in them.

The Carthaginian fleet consisted of more than 340 sail, their army of about 150,000 men ; that of the Romans was inferior in every respect, though not considerably so. The two consuls, Marius and Regulus, commanded the Romans ; Hamilcar and Hanno, the Carthaginians. The action was as hot as can be imagined ; on the one side, they were contending to wipe off the disgrace of a defeat, and to secure the empire of the sea ; on the other, to preserve the glory of a victory, and to acquire the same empire. The Romans, still novices in naval affairs, displayed their wonted courage. It prevailed over the experience, the presumption,

tion,' and the cunning of the Carthaginians. The latter lost the day, and near one hundred of their vessels, of which thirty were sunk. The Romans had not a single one taken, and lost only twenty-four. The object of this expedition was a descent upon Africa, to remove the war from Italy. The consuls acted successfully, and attacked the very environs of Carthage.

But on what depends the destiny of the greatest states? The weight of a single man can turn the scales, and raise or depress a nation. Xantippe, the best skilled in Greece, both in the sea and land service, changed totally the face of affairs. Carthage invited his assistance, and entrusted him with the command of her fleets. Xantippe beat the Romans in all quarters, and took Regulus, whom he led in triumph to Carthage.

The capture of the consul, the ruin of the Roman marine, and the flourishing condition of the Carthaginian, persuaded that ungrateful republic that it had no more occasion for a stranger, who enjoyed the highest respect within its walls: it resolved to dismiss him, and to send him back to Greece. To what lengths will not the meanness and animosity of jealousy proceed? The Carthaginian generals thought

the glory, which this Greek had obtained for himself, was so much wrested from them. Xantippe, informed of the dispositions of Carthage, with regard to him, pressed his departure. He was sent away covered with a sort of ignominy ; and to crown all with perfidious atrocity, scarcely had the vessel, on board of which he embarked, proceeded a few leagues from the shore, than he was cast into the sea, with the consent, and even by the order of the nation which he had just saved. The Carthaginians chose rather to incur the odium of a detestable crime, than to expose themselves to the dread of this general, either residing among them, or with their enemies. The Grecian commander had taught the Romans, that to vanquish them required only an experienced man who could foil their courage by address. The sea, which they presumed to subdue, soon informed them, by the loss of three hundred sail, that bravery is unavailing against tempests, as it also is against dexterity of conduct.

All these disasters in rapid succession befel the Roman republic ; but, amidst her multiplied misfortunes, she was still inflexibly determined to be mistress of the sea or to perish. All her losses were in a short time repaired, and Rome (a fact incredible were it not attested by Polybius)

bius) combated with equal obstinacy prosperous Carthage, the sea, and the ignorance of her pilots. But all these efforts became ineffectual; the Romans lost, by a tempest which they rashly braved, and which the Carthaginians avoided, the two fleets they yet possessed, the only sad remnant of their navy.

If the senate seemed then to abandon the empire of the sea, and to be satisfied with permitting individuals to fit out armed ships, it was not through weakness or discouragement on their part; but timber, men, treasures, every thing was exhausted.

This apparent slumber of Roman firmness lasted only during its total imbecillity. It required only five years, however, for Rome to cure these deep wounds. An unanimous ardor for the public good prevailed so powerfully and splendidly in that republic, that its marine was recruited as if by magic; an admirable instance of the immense ability of an united people. The riches of the treasury, the credit of individuals, industry, labour, genius, and constancy, were all exerted to put out to sea a fleet of two hundred sail. The experience which the Romans had lately acquired in naval affairs, enabled them, with these new forces, to dispute once

more the empire of the sea with Carthage, under the command of Lutacius.

This consul engaged the Carthaginians, less exhausted, but rather disheartened than fatigued, with a constancy which nothing could tire out : he obtained over them a complete naval victory, and joined to the advantages obtained by land those of the sea. Thus did Rome, under these circumstances, well merit the reparation she made of all her misfortunes.

Carthage, humbled and discouraged, had not force to emerge from her calamities ; she made a burthensome and disgraceful peace, by a timid acceptance of all the conditions which the Roman consul was pleased to prescribe. The Roman people proposed additional articles, which the cowardice of the vanquished accepted likewise.

Such is the delineation of the first punic war. It was begun when the Romans, who brought it to so glorious a conclusion by the superiority of their naval force, had not a single galley, nor a single mariner. If they acquired in so little time unexpected success, it was the fruit of virtues, the daughters of the public spirit which reigned within their republic. Never did more astonishing resources in sudden or unforeseen emergencies appear with greater lustre than in this

this war ; nor can we read this portion of history without feeling equal surprise and admiration. Thus public spirit begets patriotism, and patriotism instructs a whole nation, that it is better to perish in the preservation of its rights and liberty, than to live and lose them.

OF EXPECTANT LAWS.

THE generality of legislators have never attended to the force and influence of time, nor considered how powerful its sickle would become in the hands of an able administrator. We have always painted time as an aged destroyer ; but why have not we viewed its sickle as clearing away the brambles, the thorns, and the darnel, equally with the rich corn ? And under this aspect, why did we not consider it as a beneficent being ? Does it not likewise build every thing, and lay the first stone of all kingdoms ? I love to figure to myself its terrible sickle in one hand, and in the other *a trowel*, which it wields equally with indefatigable zeal and courage ; I delight to behold it giving birth to all, elaborating all, and conducting all by insensible gradations.

It is reserved for time alone first to announce, and afterwards to accomplish the reform of nations.

What then are those legislators who enjoin immediate obedience ; who suddenly overturn the national habits, and think themselves able to controul the genius, the usages, and customs of the people, and capriciously bend them under the yoke of their particular will or opinion ? They hasten the law, instead of preparing and ripening it. The great art of the legislator would be first to implant it in the minds of men ; they would previously be accustomed to the projected changes, and would, in the end, desire eagerly that same law, which, coming unexpectedly, strikes terror, and resembles a clap of thunder.

A law, for instance, destined to change and renew the face of a kingdom, should be published ten, fifteen, or even twenty years before it is put in execution ; and the people, long moulded and trained for it, will adopt it without opposition or reluctance, and even with joy, since justice and reason are fitted to subdue all.

This becomes still more evident, in the case of a law burthensome but necessary, of a law which imposes a new tax. The tax, seen at a certain distance, will not affright, but the law becomes terrible when, without preparation, it shakes our immediate property, like the earthquakes,

quakes, which are ranked by man at the head of the scourges of nature.

All legislators have stranded on the important law which should establish among us an equality of weights and measures. Who doubts, if the law had been announced for a certain epoch, and sufficient time allowed for reconciling the people to the innovation, that these legislators would have fully succeeded ? The same may be said of the desirable law which should remove the dissimilitude, and consequently deformity, of the legal code, a dissimilitude which lends such terrible weapons to chicanery, and nourishes, at vast expence, whole armies of bloodsuckers.— The legislator, announcing his views and granting a long truce to prejudice, would, at length, unite all opinions, and succeed in expelling from the bosom of this fine kingdom, that deformity of contradictory laws, which now prevails, and make of all the subjects but one people, and one family. The promulgation of this solemn law would be hastened ; on all sides, it would be exclaimed, why have all these different laws proceeded from the same mouth ? Had our kings as many different sorts of justice as there are provinces, cantons, cities, and villages in their dominions ? Reason and necessity should bring about a reform, because it ought not to be sudden ;

den ; precipitation is equally pernicious in politics, as in the operations of nature.

If the wisest legislators have vainly undertaken to remedy these abuses, which may be regarded as the most important of all ; if they have met with insurmountable difficulty in the execution ; if they have been obliged to abandon the attempt ; if Montesquieu himself has rather avoided the difficulty than set about resolving it ; if he has, in some measure sanctioned such abuses ; the reason is, that these administrators have not estimated the force of time, and the preparation of a law by delaying it, and thus throwing into the back ground of the picture, what would have exhibited, in a happy perspective, its proportions, and its beauty. A space of twenty years would afford time for the passions of individuals to ferment and consume ; it would belong to another generation to accept the law, which, being expected, would seem to descend like a celestial gift. Even the death of the legislator would impress on it a sort of majesty ; he would speak from his tomb, and *having permitted an interval between the law and its execution*, he would seem to have planned it according to the eternal laws which govern the universe. All its productions grow and multiply with time in an invisible manner, and

in majestic silence; great and sublime lessons to the framers of laws which they promulgate at hazard, and on which they impress the stamp of caprice! And is it surprising, after this, that they become obsolete and perish, like those fungous and half-poisoned excrescences which, having no root, fall into dust?

With the assistance of time alone can great reforms be effected; ye generations at present on earth, submit to your fate! Your political happiness will be imperfect. But ought you not to solace yourselves with the prospect of happier days to your posterity? This posterity will honour your tomb, and will gratefully thank you, for having prepared a felicity suited to their genius; for every people has its peculiar temper, which will unceasingly be found invincible, whenever it is openly attacked.

POLITICAL WRITINGS.

THE man of talents who commits his ideas to paper, is assuredly deserving of our respectful consideration; but truth is truth alone, when, forsaking *theory*, it is reduced into *practice*: it is then only, that it has a phisiognomy and an existence. Prior to its being in this state, it
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splendidly dazzles the imagination ; but it exclusively belongs to *experience*, to produce that degree of justness and aptitude, which is to set in motion all the particular and novel wheel-work the great monarchy of the state must be provided with.

I know that reflection and examination are extremely painful to man, who would rather embrace a brilliant error, than yield to a disagreeable truth. But the statesman who is sensible of the many and infinitely protracted calamities, to which an error, oftentimes involuntary, tends, will proceed with a wise tardiness, and give action and efficiency to his plans with a prudent economy. He will wait until the delusions, which constantly hover round a new truth, vanish of themselves silently and insensibly.

It is indeed sufficient, that the active germe of the imagination be deposited ; in which case, if it be found, its developement will not be delayed. An indirect heat, applied with a view to hasten its maturity, would, perhaps, be more injurious than its entire abandonment. It is common to the eye to be hurt by a sudden light ; while a temperate day, which penetrates but is not offensive to the sight, is more analogous to the weakness, or the pride of man.

The .

The action of genius ought to be watched with the greater strictness, on this account, that it sometimes subjugates the mind in such a way, as that we obey it under a persuasion that we are still free. Its power is such, that we fancy we merely follow our own conceptions, while, by its energetic inspiration, we become altogether mute instruments. We have naturally a stronger tendency towards what is new and extraordinary, than towards what is just and moderate ; and therefore, among the passions which move us to excess, it behoves us to guard against that unconquerable love of novelty, which is too frequently mistaken for the love of truth itself.

Upon these considerations, the statesman ought to make a firm and powerful resistance to the attacks of those restless spirits, whose aim it seems to be to overturn the old foundations, merely to rear up capricious edifices. He must form a judgment, whether the moment is favourable ; and while he guards against the inticement of new opinions, he must, at the same time, carefully appreciate them. He must not allow himself to put on a lofty disdain, the sure mark of insufficiency ; but must reflect, weigh, and examine. To be wavering and irresolute will be detrimental to his views, inaction being

being the greatest of all political crimes: and as events have in themselves an unsurmountable course, he must unceasingly keep pace with them, direct them, if he is able to do so, and more especially forbear to weaken their physical force. His conduct would be culpable, if, mistaking sluggishness for wisdom, he should cease to attend daily to the transitory and fickle passions that arise, and should oppose to each other the various wills, to give a triumph to his indolence and indecision. The life of the political body ought not for a single instant to be interrupted; and temporizers of this description are of all poisons the most mortal.

OF BOOKS.

THE world is governed by books. Why? Because the human race requires knowledge, and because every successful revolution may be ascribed either to letters or philosophy. The pens of writers have wrought a multitude of useful reforms: by their influence sound legislation spreads in free states, and sometimes ripens even at the foot of thrones.

With the weapons of ridicule, men of letters have combatted sanctioned barbarities, and put to

to fight the superstitious phantoms that have been substituted for the majesty and sanctity of religion. Men of letters have recalled the people and their kings to useful arts, and the noble suggestions of humanity. Men of letters have awakened in the rich a taste for rural life ; they have fixed the public attention on patriotic objects.

Alas ! without men of letters where would be the intellectual enjoyment of the rich and poor ? Who would have painted the rights of men in such affecting colours ? At one time they address the understanding of the legislator in the examination of the laws, at another, in the exercise of the fine arts : the human heart glows with delight and exultation at sight of the engaging pictures traced by their pencil. In the military, the clerical, and the ministerial departments, their ideas are adopted ; the ambitious purchase or steal them, and by this expedient procure dignities and riches.

The nation owes much to them, and I am confident the time will come, when it will feel the influence of generous writers.

The man who writes, is at present a public orator, addressing, at once, all the people that inhabit the extent of Europe. The speedy publication of facts, and the reflection which accom-

companies them, produce moral revolutions. Books (within this century especially) have changed the ideas, and consequently the moral system, of Europe.

We may consider all thinking beings as at this time forming an immense audience, constantly ready to listen with attention to new ideas and discoveries ; the influence of printing is unquestionable, since it has accelerated the progress of the arts and sciences.

Let the writer, therefore, engage profoundly in his sublime occupation, by which he makes so lively and so durable an impression on the minds of men ; let him meditate well what he ought to pronounce to his auditors. Like the orators of antiquity, he does not require declamation and gesture ; he speaks at a distance, and his voice, if agreeable to reason and justice, will reach posterity.

But it has not been my intention to assert in this work, that the legislator ought to obey servilely the ideas of the body which instructs ; I am persuaded (as I have already stated) that a man of penetration in the closet, suddenly placed at the helm of affairs, would greatly alter his system ; and would rest it upon foundations derived rather from experience than from reasonings contained in books. He would not

venture

venture to risk the fortune of the state on uncertain ideas ; he would employ means more material and physical.

I have established then, I presume, a constant distinction between the exercise of thought and the ministerial operation of it. I have shown that the man who can only think without acting, for want of local information must necessarily fall into error ; and that the man who consults not, who despairs the living opinions which surround him, who turns a deaf ear to admonitors, is incapable of doing good to a nation, and remains below the level of his age.

May these functions, therefore, be united, and without clashing together. May power and genius embrace, and pardon mutually their pretensions : instead of injuring each other, may they afford reciprocal aid. May power instruct genius in those points which ought to be known, in order to remedy the errors that result merely from an ignorance of certain facts. Once at peace, these two active forces ought to act in concert, instead of maintaining against each other an opposition.

VERBAL ERRORS.

IN all descriptions of governments I can perceive nothing besides action and reaction, elasticity, the main-spring which keeps the machine of power in motion, impulsion, and resistance. "Govern us well, say the people, and we will cherish and confide in the administration. If you make encroachments on our property, you put us on our guard ; for political duty is entirely founded on reciprocity and mutual interest." If between the part which governs, and that which is governed, the law of equilibrium is destroyed, an intestine agitation will ensue, until the equilibrium shall be re established.

But so long as there shall be among the people many men of letters, nothing is to be dreaded from anarchy. Men having need to be governed, in which state it is their best interest to be placed, seeing that each individual loves order and repose, and gives up his enjoyments for the moment, merely to return to them with greater security, it must follow that civilized men evidently do more than half the work of government ; and to this natural tendency to order the well-informed man also contributes.

It

It is therefore absurd to fancy that, without such a particular government, a state would be a prey to anarchy. Amidst the greatest troubles there still subsists a certain order ; and the most necessary laws of police, those which are of the highest advantage, are never totally forgotten.

On the contrary, in the midst of danger itself, the vigilance of man, then more active and energetic than in the hour of tranquillity, is rekindled. Have, I say, no apprehensions : man may decompose the government ; but, recomposing it under several forms, he will re-establish it, and it will never be destroyed.

The science of government is not, as political charlatans represent it, either very profound or very complicated. It is a natural science bestowed on man, and is to be found every where throughout the globe. The degree of civilization may be either too strong or too weak ; and this alone can be injurious to a wise administration : but men still live with a considerably large portion of tranquillity and happiness, notwithstanding the political machine of the state is by no means perfect.

Perfection of every kind is a chimera, and more especially amidst those physical and moral shocks which are inseparable from human societies. Now, even should all the political laws

undergo a visible change, provided the civil laws, and more especially those of the police, should not be sensibly affected by this alteration, the state would subist nevertheless, because human societies are a species of *poly* which live in all their parts. They are cut, and they regenerate, the foundation of society being almost indestructible, on this account, that there are a multitude of little peculiar laws founded on the nature of man, which prevent great divisions in the society, and resist whatever tends to destroy those various aggregations of men, on which so many different names have been bestowed, while every thing in reality consists in action and re-action, that is to say, good returned for good, and evil for evil.

This simple mechanism is so visible, that it is manifested in the final ramifications of society, while it gives life to the *ensemble*, of which it is the great and supreme law.

Banish, therefore, those vulgar terrors which convert into a disaster the decomposition of political laws: these are suddenly recomposed when they become necessary, and are most frequently of no utility to the progression of the *ensemble*. Finally, as the hive is the work of bees, so is government the work of men. In political troubles the laws of police acquire a

new vigour, because they supply the place of those which are wanting; and thus does order prevail throughout. To violate this order is not to annihilate it, inasmuch that all those terms of *revolt, commotion, insurrection, civil war, &c.* are merely crises to which human societies are necessarily subject. After the shocks preceeded by action and reaction, impulsion and resistance, they resume the attitude best suited to their character, and to the species of happiness they covet.

A state in which the people were slaves, the nobles foreigners, and the king sole and perpetual magistrate, was called an *aristocratical republic*, made up as it was of anarchy and despotism. When the people are positively in a state of nullity, can there be a republican form? This state, when dismembered, became a province in the hands of its neighbours; and it is a question what title to bestow on the government which remains.

England is called a *monarchical republic*. There the government needs a strongly marked influence, unless in the cases of declaring war or making peace. What name are we to bestow on Holland, with its perpetual hereditary Stadholder, whom it cannot change, whom it attacks and preserves, and who, possessing none

of the authority of other kings, has so terrible a power under certain circumstances ?

In certain republics we see every sort of government alternately make its appearance, that is to say, we view the sovereignty pass successively into the hands of several.

Monarchy presents bodies of magistracy, which suddenly acquire an ascendancy, and become the supreme administration ;—such, in human societies, are the flux and reflux of power, sometimes wrested from the hands of administration, and sometimes concentrated there.

Where are the true democracies ? No where, if you except the small assemblages of men collected on the summit of mountains, in the little Swiss cantons, and among the Paulists of Brazil. Switzerland presents so great a variety of governments, that we need words to express them. Arbitrary bailiffs distributing blows, and raising the fines they take care to pocket, are to be found close to the republican forms. The violence of the people disposes such a canton to anarchy : there every thing is perpetually deranged, as far as regards the internal police, by the little city magistrates, who tear in pieces these small governments, according to their prejudices, their pride, or their cupidity. Republican liberty is in these cantons often but a name ;

name; and they are rather bad republics in which the abuses are not yet intolerable, than states wisely organised for the interest of all.

Now, of what importance is it that these Swiss cantons have the title of *republics*, if they are, in general, but bad republics, compared with what they ought to be. Here, in the canton of Soleure, the son of an artizan, or of a farmer, is not allowed to learn the Latin or geometry, without the good will and pleasure of the magistrates, who, in such another city, make a monopoly of the sale of bread and wine, and, supplying the taverns with the worst liquors, oblige travellers to drink these, and no others, during their stay, protecting the robbery and rapacity of the tavern-keepers with a tyrannical and unblushing impudence.

It belongs to a well constituted republic alone to hold that glorious title; and all these little states, which have fancied, and still fancy themselves to be democratic, are, in effect, real aristocracies, since the true people of the country, and the greater part of the inhabitants, are subjected to the yoke of certain citizens, a yoke which oppresses them in proportion to the inequality of fortunes, and that corruption of manners which has found its way into several of the Helvetic cantons.

It is not sufficient to decorate governments with these imposing terms: to come at the real state of the case, we must take a close view of Switzerland, where we shall find every species of oppression, the daily and hourly work of little insolent aristocrats.

By studying with attention the political and moral relations that have at various times subsisted among nations, which, while they preserve the same name, undergo a change of manners and of laws, we shall find that political governments are sometimes corrupted, on this especial account, that they have estimable titles. Governments remain imperfect, when they are not stimulated to improvement by public censure: now there are no people in the world more jealous and tenacious on this score, than the members of the different Swiss aristocracies; while, on the other hand, the democratical bourgeoisie of several of the cantons, with very confused ideas on politics, are most absurd and unreasonable, conceiving that the rest of the universe ought to model itself upon old, threadbare, superfluous laws, which they, besides, neither know how to change, nor to follow literally.

The English have very good political laws, and very bad laws of police. Their capital is disgraced by robberies and burglaries, which are followed

followed as regular professions; and these odious abuses a fanatical admiration of their liberty makes them fearful to suppress. This is the more extraordinary, since a well regulated police affords almost all the advantages of a good constitution, particular security being to the majority equivalent to general security.

We find by history, that laws are not introduced until after a considerable lapse of time and successively, it invariably happening, that men do not, at once, attain any thing reasonable. If civil laws are not sufficiently brought to any degree of perfection, this is still less likely to happen with respect to political laws.

When nations, originally, were wearied with a democratical constitution, they fell into an aristocracy; and when they were disgusted with that form of government, they submitted to the authority of a chief, either because he possessed eminent qualities, because he had artificially obtained the sovereign authority, or because a monarchical government was considered as the one the least imperfect. This diversity of government every state has experienced; and each of them has had different laws.

Now, to those who are capable of reflection, this diversity of laws forms governments subject to agitation and change. Thus the words *monarchy*,

zarchy, aristocracy, and democracy, are terms without significancy, and differing from each other in dictionaries alone. Without any respect, therefore, for these *scientific* terms, we ought to judge the different constitutions solely by their effects.

The sovereign, or the coercive power, will, invariably, be guided by the state of national prosperity : this is a sensible and fundamental truth. But to obviate an abuse of the sovereign authority, it is expedient that there shall be in the sovereign a dread, and even a certainty of the loss of his prerogatives, if unduly extended, and that there shall be a real and continued check opposed to the inclination he possesses to extend them.

Every mixed and tempered power will hold the sceptic of authority ; while every covetous and insatiable power will become a self-destroyer, readily accomplishing its own fall. In the order of civilization, the powerful man must be deprived of the means of abusing his authority with confidence and impunity : without this precaution he will infallibly abuse it.

The government of the laws is in strict opposition to that of the sword ; and so monstrous is the union of the two, that there is in every country a constant and inevitable contention,

tion, to prevent the legislative power from uniting with the executive. A body will constantly spring up to prevent the monarch from being at once judge and party in a cause. When the equilibrium shall be too violently broken, it will re-establish itself ; and, in an enlightened nation, an arbitrary will can never hold the place of justice. Such a nation will have its representatives, either in the person of its magistrates or of its writers : it will never be deprived of an organ of some kind, to give a real force to its demands and remonstrances.

By reducing every thing to clear principles, it will be found, that the genius and spirit of governments are pretty nearly the same over the whole surface of the globe.

The original authority of the nation is incontestible, but it is lost and becomes a nullity in fact. The people are, in some measure, bound towards those to whom they have delegated the exercise of the supreme power ; and if the nation has a right to withdraw the authority so delegated, the employment of that right is difficult, and at the same time so rare, that history, in this case, supplies us with but very few examples. The people, therefore, cannot, without danger, violently tear asunder the social compact, because, when the reparation is not

speedy,

scarcity, a dissolution of the state ensues; and in these great political revolutions, it is the height of all misfortune, not to have in view the attainment of a great interest, such as is calculated to recompose the nation for the peril to which it falls ^{as itself}.

In all human governments the powers ought to balance each other. If one of them predominates over the rest, the change becomes manifest; and hence it happens, that the fermentation augments the urgency, and the urgency calls for the remedy: thus ought the government to be seen in a true and precise point of view. The spirit and genius of the political constitutions which have prevailed in the world, are not in the words, but in the things: by their effects, therefore, ought we to judge them.

Venice presents a government established on ancient foundations; and these bases appear incapable of being shaken, on account of the inheritance of such a constitution as seems to perpetuate their duration and maintain their scite. When you see an old government deviate a little from its integrity and pristine purity, it is because it possesses in all its parts a great adhesive power. All the governments of Europe having, in a greater or less degree, lost their primitive liberty,

liberty, they are authorized to recover it by moderate struggles, and by efforts adapted to the different cases.

The best constitution is that which obliges the wicked to be good, and the licentious to keep within bounds; which provides, that all shall be within reach of the law; and that no arbitrary authority shall be permitted: by these conditions, a well-ordered society is constituted, whatever name it may bear. In all cases, whenever the authority is guided by too strong a hand, its destruction is resolved upon; and when, by a final analysis, war is to determine every thing, and arms reported to, to decide a great national dispute, every supportable government will be supported, while the yoke, which can be no longer borne, will draw the vengeful sword from its scabbard.

The model of the government which approximates the nearest to perfection, should be separated from what is chimerical. The shock of the integrant parts of political society must be calculated by the human passions, the flux and reflux of authority and power being inevitable among beings, some of whom command while others obey. The contention they maintain is necessary, until the two opposite powers become pretty nearly equal, and find their level

on the pivot of the laws. It, therefore, becomes the legislator to reject insignificant terms, and to prosecute his labours on existing and positive bases. In certain states, I am at a loss to find out the sovereign. The supreme power passes alternately into the hands of the priesthood, the magistracy, the diplomatic body, the soldiery, or of such or such a minister, at the head of his official department. These may be termed diffused sovereignties, in which the powers, as is very essential, balance each other. Without this salutary shock, and these useful counterpoises, a part of the society would invade the rights of the other part. In what is styled *monarchy*, is it not certain, that the laws are constitutionally superior to the transitory will of the sovereign? The intermediate bodies, when they possess a certain degree of force, are the representatives of the nation. Are they too weak? They call on the whole nation to succour liberty. The more simple states are, the more are they dangerous, because they then become military. Governments must necessarily be complicated; and in the midst of the oppositions which arise, human liberty finds its sure ramparts.

In the sequel, nothing can be more fatal than to pursue political questions into their last entrenchment:

trenchment : this is inviting the unjust issue of force. We must throw a veil over the efficient soul of a government ; for this soul may be found every where. That which gives a play to great human societies, hinges on certain phantoms we ought to respect. The balance and wheel-work of a machine are intimately connected, insomuch, that we must not say the power lies in the wheel-work, the power lies in the balance, for it resides in the *ensemble*. Great human societies have a thousand modes of existing ; and the action which *governs* them is concealed in their smallest parts.

EXTREME LAWS.

EXTREME laws sometimes succeed. There was certainly a great degree of harshness in that particular law of Romulus which granted to the husband the right of life and death, as well over the adulterous wife, as over the wife addicted to drunkenness. There was an extreme rigour also in the law which gave to the father an absolute dominion over the life of his children. By the first of these two barbarous laws the women were, however, cured of their incontinence ; and by the latter, the vices heretofore

so frequent among youths ceased to manifest themselves : old age was no longer exposed to indecent dallieries ; and the man whom experience had instructed was listened to. So true it is, that such and such laws are calculated for such a nation ; and that the legislator is the man of the moment. But let me hasten to break off this chapter abruptly, as the sensible man flies, when, approaching a public place, he suddenly perceives the executioners and satellites of justice in the act of offering up a human sacrifice to general safety or the general will.

SATYRICAL WRITINGS.

IN a monarchical government satirical writings are prohibited ; but, as Montesquieu observes : *they are rather considered as requiring the interference of the police than as criminal. They are calculated to amuse a malice prevalent among all ranks ; to console the discontented ; to diminish the jealousy against placemen ; to bestow on the people a patient endurance of suffering ; and to make them laugh at their sufferings.*

It would be vain to add any thing to this sentence, from which we may infer, that he will be the most adroit monarch who shall allow

low the national discontents to concentrate themselves in pamphlets. Thus will he be forewarned in time, and will have nothing to dread from the effervesce of men's minds; for the turbulent spirits will, of their own accord, betray themselves.

How great is the character of the prince who can bear to be advised: *nihil oblivisceris nisi injurias*. This is also a mode of conduct to which the celebrated man of letters resorts. Every injury which is contemned is inevitably foiled; and every book dictated by passion, and a desire to do mischief, is soon forgotten, while its author is overwhelmed by the public contempt.

Mediocrity, nullity, and turpitude, are calculated to unite and embrace each other: at the view of the smallest pamphlet they tremble. But the sovereign who knows his own best interest, will never be prevailed on to put restraints on the press. The writers themselves must be made responsible, not for their errors, but their motives; and nothing is so easy as to discover in a book the motive by which it has been dictated.

The press is a road constantly open for the dispersion through the world of profitable intelligences and necessary truths. The terror and apprehension with which the art of printing in-

spires little men, are to me, I must confess it, a source of infinite satisfaction.

Ventre-saint-gris, exclaimed Henry IV. of France, when his courtiers complained to him of the author of *l'Isle des Hermaphrodites*: (the Island of Hermaphrodites) *do you imagine that I shall molest a man of wit, because he has told you truths?*

In vain are circulated those libels which can neither wound nor outrage virtue. The public esteem is not more due to the distribution of certain pamphlets, than are scorn and contempt to certain others. A little sooner, or a little later, truth obtains its aim.

In reality the liberty of the press is *inevitable*, since to combat it merely serves to make its range the more extensive. The confidant of the man of worth, the trumpet of genius, the revenger of nations, and the officious instructor of placemen, the press has its abuses, but is not the less calculated seasonably to renew the ideas of the human race.

OF RELIGIOUS LEGISLATION.

THE spirit of religious legislation, when it does not wander into useless or confused dogmas, enlarges the mind, and exalts the conception.

tion. Man has at all times found consolation in the prospect of future happiness. Great legislators have anxiously guarded against burying man totally in the silence and inaction of the tomb. What could they have offered in recompense to the generous patriot, or the undaunted warrior, who devoted himself to his country? They created the Elysian fields, where man, overwhelmed by the miseries of this life, is to enjoy eternal repose.

The legislators of all ages have regarded this hope as the surest remedy to despair, and as the most salutary that the wretched can embrace, to extricate themselves from the deluge of calamities.

This idea will ever be great and sublime. It is lamentable that, in the sequel, it should often have obliged men to sacrifice the most innocent pleasures of this life to the hope, or the dread, of a future state. Ought this kind, this soothing, this charitable idea to have degenerated into a harsh, partial, and tyrannical dogma?

Hatred grasped this great idea to extend its horrible enjoyments. Priestly rancour opened at will the gates of hell, and shut the region of bliss. The reign of the ministers of religion became more terrible and more pitiless than that of despots. They required the spirit of fanaticism

ticism and submission, rather than the spirit of religion. To have a claim on their charity, it behoved their followers to submit to their orders ; to live without apprehension from them, it was necessary to acknowledge them infallible.

The ecclesiastical hierarchy, in its inflexible progress, removed all that could lead to reflection ; and the shades of ignorance were the sacred groves where it chose to erect its sanctuary.

A single pontiff in a state could balance against the monarch, or divide his authority. The government of the ancient Jews, when they abandoned theocracy for royalty, presented the political inconvenience of having set the priesthood above the controul of the supreme power.

If this ministration were to be entrusted to a man of integrity and virtue, who should be merely the organ of justice, the office would become sublime. But it is of consequence, that the regulation of the church should be subject to the authority of government, because nothing is easier, and, at the same time, more dangerous, than that the sacerdotal order should abuse its credit : as it seizes on the minds of the vulgar, it can hurry them, and that rapidly, into extremes.

The modern Persians have two heads of the sacerdotal order ; and by this ingenious address, they have avoided the single pontifical power.

It is with regret we behold in France such a multitude of archbishops, bishops, abbés, priors, canons, and all those dignitaries of the chapters who have no direct relation with the citizens. The rectors alone, the most respectable part of the sacerdotal order, have a communication with the people, and in that respect correspond to the civil magistrate.

All the monastic institutions, at present, detach the individuals from the state, to link all their faculties to these secondary bodies. The reason is, that the monks, at their origin, lived in deserts by the labour of their own hands, and consequently were not necessarily connected with the commonwealth. They are now idle, and live in the midst of cities, but have still preserved the spirit of the ancient monks.

But we must not forget that the great monasteries served as rallying points to the husbandmen during our ancient commotions, and that collected bodies of Benedictines and Bernardines retained the people, harassed by continual revolutions, and ready to emigrate, that they retained them, I say, about their religious edifices, so as to cherish agriculture, which,

without them, would have been banished, and to maintain the national force, just expiring and bordering on total ruin.

Those who love letters, reflect, likewise, that without the opulent monks these would have been extinct; that their monasteries have afforded an asylum to the ancient manuscripts, and that their fine possessions, now the subject of censure and envy, are the price of their labours. It would be desirable, however, that these monks should be more connected with the people, and should thus become more valuable in a political view.

OF ANCIENT JURISPRUDENCE.

NATIONS, half barbarians, have prostrated themselves before a jurisprudence, to the nature of which they were strangers, because they could handle the sword and not the pen, and wanted sufficient knowledge to digest a new code. These people seized upon the Roman laws as they did upon their edifices; upon these they rested, and what was wisdom, grandeur, and foresight in a great empire, became absurdity, contradiction, obscurity, and dispute among demi-

demi-savage hordes, still considerably removed from civilization.

As ignorance needs to be instructed, all that was adopted from the Roman laws appeared admirable. This plunder excused all particular study; but it soon became the source of the darkest disputes. The civilians carried their extravagance into the mutilated treasure; and it would have been better, that these barbarians had been without laws, than that they should steal them from so majestic a code, to apply them to their rudeness and ferocious ignorance.

When these people had pilfered the Roman jurisprudence, they were incapable of devising and framing completely a single law; they were then at the mercy of the civilians, who compiled for them a multitude of propositions, more or less obscure, but for which they were paid in want of better.

These nations sought shelter in a foreign code, as in times of calamity a promiscuous concourse escapes to a deserted temple. The altars are soon employed for other purposes.

But are we excusable in our own eyes? Shall we stand unconvicted in the sight of posterity? In an enlightened age, when all the arts ingeniously cultivated approach towards perfection, we still crawl in the contentious paths of foreign

jurisprudence. We have adopted all the complicated theses, all the ravings of jurists, all the extravagances of civilians. This shapeless and gloomy code, where bitterness of dispute springs up at every step, we have attempted to unravel, instead of solemnly committing it to the flames, and creating a new code, a code applicable to our wants, suited to our genius, and analogous to our character.

To what purpose is our knowledge ? What do we make of all those books where philosophy and morality join hand in hand ? What advantage does the world derive from the labours of a philosophic age ? Have we not learned to break the chain which bound us to those old laws whose load oppressed us ? And have we had the weakness to search among that multitude of volumes, which ought to be condemned to eternal oblivion, for decisions that must influence our civil existence, notwithstanding the difference of places and of circumstances, notwithstanding a new religion, new manners, and a political constitution which bears no relation to the constitutions of antiquity ? Have not the French monarchs, (I include all the legislators) in publishing a library of edicts, given besides to their people a national code.

Undoubtedly, there are many luminous parts
that

that command attention in the Roman laws. Written reason can be transmitted from one tribunal to another ; but is it not time to consider the defects in the laws, to simplify our civil jurisprudence, so horribly complicated, and to cast a pure and steady light on all the fundamental points of political and civil right ? These are few in number, and following the natural progress of things, the whole would soon be elucidated. Then would veneration exalt the legislator who should present that noble benefaction to the nation, which feels the want of it, and calls for it by the unanimous cry of all its intelligent and enlightened citizens.

CRIMINAL LAWS.

ON coming to the chapter of *criminal laws*, the most courageous philosopher, or the one gifted with the greatest share of sensibility, is at a loss what to say : the pen trembles in his hand.

It would require a profound knowledge of the different temperaments, and the workings of the passions, to keep within the limits of strict justice. While some dread shame, others are to be deterred

deterring by punishment alone: physical durity, for which we are not responsible, engenders moral durity.

Here, the most tender-minded man murders his friend in a fit of anger, and calls aloud for death. There, the Lyons monster laughs on the wheel, mimicking the wreathings and contortions of the man, into whose mouth, when sleeping, he had, by way of pastime, poured melted lead.

The quality of the blood, and the solidity of the muscles, constitute beings very different from their fellow-mortals. Among the criminals may be recognized, tigers and bears with the human countenance. With them moral insensibility proceeds to a state absolutely hardened; while their frozen imagination has never identified to them the sensible victim against whom they have aimed the blow.

To annul our laws of blood would, perhaps, only require the example of a villain endued with a temperament similar to that of the savage nations of Canada. A prisoner of war, tied to the stake, and slowly consumed during twenty or thirty hours, smiles in the midst of his pangs, and bids defiance to his executioners. Now, a criminal who should among us afford a spectacle like this, would appal the judges and spectators, and

and prove, more than do all the books of philosophers, *the insufficiency of punishments.*

Does not education bestow on men another existence? That education in which almost all those are deficient, on whose heads the sword of justice strikes! The terrible instant when they became criminal, we ought to receive as a lesson; since, perhaps, under similar circumstances, we should have been as much to blame as these wretches, provided the education we have either received at the hands of others, or procured for ourselves, had not restrained or prevented the dangerous effects of our physical constitution.

Most certainly, the magistrate ought to conduct himself with humanity towards the criminal. So far as regards the former, who sits as judge, the compact has not been broken by the latter, in whose place, be he who he may, he ought to suppose himself, since he is a man, and his fellow-creature. He should, therefore, hold in abhorence the *bar of iron*, the *pincers*, the *red-hot instruments of torture*, and all those other infamous contrivances by which human nature is outraged: justice is punishment, not vengeance, and death suffices to rid society of the criminally perverse.

The English, who, in framing their government,

ment, never lost sight of humanity, hold out to all other nations, wise and benevolent laws, which they ought without any delay to imitate.

Never yet has a painter undertaken to represent, what would form a most horrid picture indeed ! Justice with her wheels, her gallowses, and her ladles filled with melted lead. Themis is represented with a bandage, a sword, and a pair of scales : this image, which is just and majestic, can be depicted ; but the former one makes us shudder. And what is it that foils the pencil ? A secret intimation, that the image is contrary to nature, and should never be publicly exercized.

We know why Themis is depicted with a bandage and a sword : but wherefore the scales when a robber is to be tried ? What sum is put into the scale opposite to that in which the robber is weighed ? A contemptible sum of money, of dross : is there any equality in this ? The murderer may be weighed against the corpse of him whom he has slain ; and, to the end that the balance may poize, his life must be forfeited : it is then that the sword, which, in civil affairs, serves to cut the gordian-knot of chicanery, is employed by Themis to sever a life inimical to society.

Thomas Morus, Montesquieu, Beccaria, Ser-
van,

van, Dupaty, and Cretelle, have flattered us with the hope of a humane and regular legislation, so far as regards the important object of common preservation. They have rejected those laws of blood, those processes invented by tigers, whose maxim it seemed to be, that no innocence could dwell in the breast of him whom justice had overtaken.

Thanks to these writers, it has been recognized that those whom the laws have to govern are sensible beings, and that man (for such was his earliest duty) is obliged to be tender of the life of his fellow-creature: crimes may be repressed without the destruction of the guilty.

On their side, the English have, at once, afforded us the sublimest maxims, and the finest examples of justice and humanity. Can it be credited? The penal legislation of England has not been the work of the intelligences and systems of that thinking nation, but the effect of political circumstances. There criminal justice has been connected with the republican constitution; and there liberty is strictly interwoven with a compages of laws, from which it cannot be severed. It would, however, be ineffectual to propose this admirable institution to other governments, whose criminal code, grafted, as it is, on their fundamental laws, can never be effectually

fectually corrected. The distance is too enormous; and in such a case, the judge would instantly supply the place of the law, either in absolving or punishing.

Governments which want the republican form, are at a loss how to unite society with independance, force with happiness; security with liberty, and the passions of each with the rights of all. For want of being justly proportioned to the political laws, the criminal laws become precisely the contrast of the manners of a nation; and the sword of the law is then exercised on those ferocious or maddened men alone, who oblige the tribunals and the judges to deliver them over to the executioner, to be put to death according to forms.

In the legislation, therefore, of a nation having principles, every thing reposes on a sure basis; while the nation that wants these principles, arbitrarily immolates the innocent and the guilty, covering its errors by punishing alike the robber and the assassin, the assassin and the parricide. Ignorant how to proportion penalties, it fancies that it has satisfied justice, by a public display of those sanguinary executions, which terrify and appal the heart and the imagination.

It has been seen, that every thing is derived from

from the earliest political laws. In states governed by too absolute a monarch, it is impossible to have that criminal jurisprudence which does honour to republican states. The scandalous aggregations of inhuman lawyers spring up at the moment when victories intoxicate a nation abandoned to the fanaticism of conquests.

Thus, notwithstanding the splendour of such a particular reign, forms respecting which the writers of the day were silent, and which were dictated by the hatred of the human race, issued from the pens of weak or barbarous jurisconsults, and have been preserved by a polished nation for upwards of a century, to the prejudice of its own customs and its intelligences.

The nature and despotism of criminal procedures, and the mad regulations which militate against the common security, evidently arise from the first violence done to man by the political constitution. The code most susceptible of perfection, the finest monument which wisdom has hitherto erected to humanity and liberty, is to be found in republics, or in states truly free.

Our manners have prevailed over the abusive rigours of our laws. Thanks to the knowledge which has burst forth from one end of Europe to the other, we are become more sparing of the

the blood of men, which, since error has been separated from criminality, no longer flows on account of the slightest delinquencies. Could the legislator be again brought to life, he would abrogate such of his laws as merely tend to harass the human species, and which insensibly efface the code of nations. A superstitious respect which should undertake to sanction in our time, all that legislators have, at different periods, invented to restrain or to terrify man, either as his imagination may be timid or ferocious, would totally deprive him of an asylum, and every point of his existence would be taken from him in the name of the law.

Why employ a sanguinary yoke? It is useless when the animal is tame and tractable. Restraints like these, once necessary, become horrible chains when all disorder has ceased. Barriers hastily formed and destined to confine the multitude within the spot of rendezvous, are broken down when no longer needed: if they were to be allowed to stand after the assemblages have been dispersed, every road would be filled with obstacles, and at every step the passenger would be impeded.

Certain cruel legislators, almost instantly after enacting a law, more especially one of the penal code, have been known to display a kind of

of joy at its violation. They seemed impatient for the moment to make a conspicuous example, and to triumph in the very act of the delinquency. How truly atrocious is such a conduct !

If the framing of the law demands a sacred rigour, a virtuous severity, its execution, on the other hand, requires moderation and even a kind of sensibility.

Why does the death of a single man, condemned by a judicial sentence, interest and affect us to such a degree, as to give us pain and emotion, while we behold, with *sang-froid*, the slaughter of thousands of innocent men in the field of battle ? It is not the idea of the innocence of the condemned individual that moves us : it is the sensation of our independence which recoils at the power of certain individuals, who, seated at their ease, pronounce on the life and death of their fellow citizens.

ATROCIOS EDICTS.

CAN there, in any history, be found two edicts similar to those of Charles V, in 1555, which sentenced to death all the Protestants in the Netherlands, even though they should embrace the rites of the church of Rome ; with

this mitigation in favour of the latter, that they should not be burned alive, but the men beheaded, and the women interred still living ? No, these monstrous edicts are *unique* : they could be promulgated once only ; and the resistance in the Netherlands was proportioned to all the violence and atrocity of such a tyranny. Humanity can be rarely exposed to such outrages, to contrive which has required all the fury of an enraged fanaticism ; the people accordingly, by a sudden and natural impulse, have at all periods of history opposed a terrible force to such monsters of despotism, have rendered them, of all sovereigns, the most wretched, and have overturned that imaginary grandeur, which had for its basis an abominable superstition.

OF JUDICIAL ORDER.

LEGISLATION is the most essential part of polity. When we consider the unbounded authority of the Roman censors, the executive power of fathers over their children and of masters over their slaves, together with the establishment of a particular tribunal to superintend the conduct of the women, who lived in a state of continual tutelage ;—when we reflect that the

the Romans knew neither substitutions nor tugs, and that they were without commerce, we readily perceive how laborious our modern jurisprudence must be when compared with theirs, and how much our legislators must necessarily be engaged, and our magistrates embarrassed.

We have our distinctions of goods *moveable*, *immoveable*, *profective**, *adventive*†, *dotal*, *extra-dotal*, and *paraphernal*‡; insomuch that these numerous complicated rights make a delinquency of what is not so naturally. Hence so many litigious disputes, and obscure jurisprudence, laws without number, and laws without rationality. In this point of view does the multiplicity of edicts become injurious to a state. The president, Montesquieu, has vainly asserted, that all these little laws are a fence to property: they evidently harass the proprietor, whom they expose to endless law suits, treacherously entered upon against him. Defence in these cases is both harassing and ruinous; and I conceive that jurisprudence may exist, without so many nullities of rights of *exclusion*, without so great a diversity of jurisdictions, without the right of re-

* Good coming in direct succession from father, mother, &c.

† Good inherited by the wife during her marriage.

‡ Goods at the disposal of the wife.

demption, and without the contracts of annual feudal tribute.

In an age so enlightened as ours, ought we to regard a complete code of civil laws, as an enterpize beyond the powers of man, and out of the reach of the sublimest talents? Nothing more would be required, than to simplify these laws, to establish regulations for their precise interpretation, to place at the head of this new code the leading maxims of jurisprudence, and to banish, as far as it may be possible, the formalities and procedures which are as dangerous as they are unnecessary.

To fulfil this aim, *precision* would be the most necessary quality. When the law is neat and distinct, it inspires a higher degree of respect. With a simple and natural stile, disengaged from the obsolete words no longer intelligible, such a code might be formed as would speak to every citizen, and the desire to elude which would no longer be manifested.

Judicial order being the first beneficial object of legislation, the invariable establishment of tribunals is infinitely important: by determining the jurisdictions of each tribunal, it would complete the overthrow of the hydra of chicanery.

Louis XIV. had a compilation made of all the laws from the reign of Clovis down to his own time. Unfortunately, the minds of men were then not sufficiently enlightened ; the good and the bad laws were compiled together, and absurdity was seen at the side of wisdom, while cruelty accompanied justice.

It was the intention of Charles IX. to reform the tribunals and abridge the processes. By this highly benevolent measure he might have wiped away, yes, I repeat it, he might have wiped away the bloody stain of St. Bartholomew : it was the best reparation he had to offer to his country.

There is no kingdom in which a reform of jurisprudence is so necessary as in France.

MARRIAGE,

THE woman is a gainer by this contract ; but the duties exacted of her are likewise more rigorous than those required of the man. Her physical wants are considerable, and her moral wants still more urgent. The weakness of women renders society endearing and profitable to them, The woman becomes, by this contract, the equal of the man : she escapes that ser-

vitude into which her solitary beauty would have reduced her ; she dispels the languor and chagrin which prey on a mind unemployed.

I insist, therefore, that the women gain the most in signing the marriage contract : they ought to repay this advantage by submission, tenderness, and mildness. The principle of society resides in the conjugal union. If the family be disordered by the disobedience or rebellion of the wife, we lose, at once, the means of rendering our country happy ; for how can we reconcile discord in families and prosperity in the nation ? The establishment of domestic order will promote and strengthen the stability of the society at large. The constitution of the state appears to be inseparably connected with that of private families. The looseness of domestic manners evinces, unfortunately, the decline of public virtue.

What were the rights of men among the Romans ? How were they consistent with the domestic despotism which had the disposal of the lives of the children and slaves, and with the tyranny of the creditors who oppressed their debtors ? Who can persuade himself that the Roman laws were any other than a mass of barbarous institutions ? No. Notwithstanding the rigour of the Roman code, no people, says *Livy*,

Livy, were milder in their chastisements. The laws were threatening, but the national character was gentle. Every one softened the punishment pronounced by the law, and disarmed its rigour. Divorce was very rare among the Romans, because it was authorised by law.

OF THE PRIMITIVE STATE.

THE steps which have conducted man from the state of nature to that of society, are enveloped in darkness. What animals can exhibit society in its infancy? History presents nothing on that head, as the navigator judges it needless to relate his uniform voyages on a sea perpetually calm. The transactions of men do not become interesting till after they suffer from their aggrandisement or their laws,

The primitive state has either been too much extolled, or too much depreciated. At one time the wandering life of the first men has been confounded with that of the brutes; at another, there have been ascribed to savages a multitude of sentiments which spring from society alone.

Savages pass whole days in doing nothing. They are automata constructed by nature to the tone of the climate: to see one man, is to

survey a whole nation. The cares and anxieties of life are unknown to them, because they reflect not on the past, and take no concern about the future. As they know only the most urgent cravings of nature, and spend their lives in satisfying these, by the means that climate and habit point out, they are undoubtedly less the objects of pity than if they dwelt under those irregular and capricious governments which afford not to the individual an entire tranquillity. A savage is surely happier than a peasant who is subject to the rigours of the poll-tax ; but the little tradesman of a provincial town, is happier than the savage who tastes not the comforts of life.

If the savage is free, he adopts the subjection of natural calamities : and these he can neither foresee nor avert. If he pays no imposts, he is compelled to adopt a fashion, which consists of marks on the body, painful to impress : his skin must be painted, punctured, burnt ; his nose depressed, his head flattened, his nostrils bored, his ears extended. This rude system exercises the most absolute and tyrannical dominion over these simple men. They submit to this public and national token, to these characteristic marks, to unite and distinguish each other ; and thus custom has an air of authority which gives it the force of a law.

Thus,

Thus, if savage nations have not plans of police and government, they have public and uniform modes of life. The Carib, the Iroquois, and the Topinambou, have stupid and monstrous customs which assimilate them to those whom despotism oppresses. The savages inflict on themselves the most painful tortures ; and the slaves of a despot suffer meanly, because they dread a punishment still more terrible. In this consists all the difference.

I speak not of those nations, the inhabitants of the frozen zones, placed on the barriers of the world, whom nature seems to have banished, and condemned, in such barren tracts, to incurable beggary. It is not their defect of mind, but that of their territory.—Social life could never strike root amidst eternal frost. The inhospitable climate totally subdues the manly powers. The Greenlander, and the savage Laplander, like the natives of the ocean, which cannot subsist in the rivers, would always have a natural repugnance to every species of civilization, because the faculties of the soul of each are not less benumbed than the muscles of his body. But I speak of those savages who are reared in a mild and temperate climate, and who require not the elements to be controled, and the sun to be approximated, to form their mind to reflection.

flection. These people, with their national affluence, might possess social manners ; for to unite men, it is requisite that the soil yield some productions.

The inhabitants of the most northern regions of the globe may claim pity ; but the legislator would in vain attempt to civilize them. There are savage tribes, however, which really merit contempt ; for being already shepherds or hunters, fishers or husbandmen, they have only to proceed a single step further, to adopt plans of police which might secure to them more ease and more liberty. The Carib, the Hottentot, the negroe, the savage of North America, each of these leads a ferocious and quarrelsome life, and nourishes a national hatred, degenerating into atrocity. They have adopted our worst acquisitions, our arms and our spirituous liquors. These are the people whom I accuse ; they are a dishonor to the human race, for they have all the vices, without one political virtue ; nor do they owe the brutality of their character to the climate.

The sublimity of political laws becomes striking, when we behold a Carib through the shameful uniformity of his life, transported by the paroxysms of his turbulent passions, and raving like a person driven by the bite of a mad dog

dog into a hydrophobia. Nothing can equal the rage of this intractable people when offended: they storm like an enraged *æ*mon. If they go to war, they resemble maniacs who devote themselves to the furies; their hatred passes all bounds, their vengeance is implacable.

The corrupted savage has vices far more hideous than the civilized man. The degradation of the Hottentot, and of the Negroe, sinks them into servitude: villainy springs up in the heart of these savages, with the uneasy sensation arising from being ill at ease. Negroes commit indiscriminately every act of perfidy and wickedness. The coast of Africa contains the ruins of free nature, for there is hardly any medium between liberty and slavery. These people, too abandoned to perceive or to relish a national establishment, suffer very justly the punishment of having neglected it; they have lost the sentiments of nature; they have gone backward, because incapable of advancing in civilization. Their folly and baseness have rendered them the sport of foreign nations; and the false, wicked, and perfidious soul of these people, refusing all salutary instruction, has thrown itself into the fangs of the most superstitious credulity, and hugged the oracles of soothsayers, the delusions of pretended enchanters, and sorcerers.

All the tribes which are only half civilized, are fierce and knavish, and have no conception of the reciprocity of benefits. The idea of good is foreign to their nature ; nor can their confidence be gained without presenting phantoms to their mind. These phantoms are changeable, and unlucky impressions are always those which predominate. Their life perpetually fluctuates between perfidious dissimulation and extreme violence : so true it is, that good laws are requisite to bind men to reason, justice, and decency, and to withhold from them that unbounded and false liberty which degenerates into wild licentiousness, which depraves instead of guiding the instinct, and which propels men to all the acts that are repugnant to nature and humanity.

God has planted in the bosom of animality, the germe of an immortal being ; but the condition of men and brutes, is not in that respect the same. It is social life that constitutes man ; if he spurns the intercourse of his fellows, his understanding becomes an inactive and torpid faculty. When he lives under the gross dominion of personal interest, he is never so remote from his nature, that nature which is fitted to attain the highest degree of virtue and felicity.

What a being is the man who has not entered within

within the circle of civilization ? He turns his force against the whole world, and the most frightful disorders do not appal him. The skull of his enemy forms the festive cup which contains his inebriating draught. If he is victorious, he acts the part of executioner ; if he is vanquished, he suffers with fortitude. He employs deliberately all the refinements of torment, to which he himself in his turn submits : his brutality rises to such a pitch, that, transported with diabolical joy, he roasts the human victims over a slow fire, and gluts his famished appetite with the horrid repast. The lot of war delivers into the hands of a neighbouring tribe, the women and children, who are burnt alive, and the cries of anguish are mingled with the sports and dances of their enemies. Behold the bloody scalps that line the hut of the savage, the bared skulls, that, by their number, mark the rank he holds, and the respect he claims. Is it a man or a tiger that inhabits this charnel-house ? Fury and weakness lurk in this den : yet in that same creature may be lighted up that knowledge which shed lustre on Marcus Aurelius, Hippocrates, and Newton. Man, in the savage state, directly opposes nature, for he is ferocious and stupid. His maners are those of a wild beast : he devotes his whole life to intoxication,

toxication, and sleep, the butchering of his fellow, and the feasting on his enemy.

Man is never so near, therefore, to his nature, as when, escaping from this frightful degradation, he submits to the laws ; when he enjoys the benefit of arts and sciences, and, rejecting a barbarous instinct, he trusts to his understanding and his industry. The universe is the immense laboratory where man is placed to work out the development of his being, and to prepare himself for those wonderful transformations to which he is destined.

The social institution is thus necessarily connected with felicity and government : it is virtue under another name.

But let us, at the same time, distinguish between the state of nature, and that of these ferocious tribes ; let us view the first traces of true civilization. Most of the philosophers have agreed to call the state of nature the state of ignorance and stupidity, and they descend to the Caribs in judging of man. But the state of nature is quite different from that which they delineate ; the state of nature subsists in many of our country places, and through a great part of Germany.

Though ignorant of the art of reading, incapable of admiring paintings, unable to comprehend

hend geometry, man still possesses his own personal industry : he is not stupid, for as soon as he knows civil association, he forms moral ideas.

Observe our rude and surly peasants ; you behold nearly the middle state of man. This labourer, this workman, is neither a Descartes, nor an Helot ; he is merely a man.

The term *savage* has absolutely no meaning ; since, in reality, no men of such a description are found, unless from some of those extraordinary accidents of which the cause is entirely unknown. A savage found alone in a wood, or in the fields, without children, and without family, is a *lusus naturae*, which affords no reasonable induction : at best, he is only a brute in human shape, and certainly the most miserable of all beings.

If by *savages* we mean those hordes of two or three hundred men, who are seen in the deserts of America, the name is improper, since they live in society, and form, among themselves, a sort of republic. They ought to be termed *hunters*, since the chace is their sole occupation.

Man has four modes of subsisting. First, nature has given him sheep, goats, cows, asses, camels, and horses : these he may conduct to rich pastures, may feed on their milk, the cheese it

it produces, or on their flesh, and clothe himself with their hides. This kind of life is the simplest, the most natural, the most peaceful, and at the same time, the most certain. It was, moreover, the first condition of the human race, which is proved by the existence of sheep, and some other species of animals, that, without the protection of man, must have been extirpated. If there had been few men, and many animals, the former must have fallen a prey to the latter; on the contrary, had there been many men, and few animals, these would have been destroyed and blotted from the face of the earth. Thus, the first men were shepherds; hunting and agriculture succeeded; and fishing, and the other arts, were afterwards introduced.

Secondly, nature has stocked the woods with boars and with stags, deer, goats, rabbits, and other animals capable of domestication. Against some of these man was obliged to defend himself; others he was induced to attack: and hence the origin of the chace. Those who embrace this mode of life, are far from being so happy as the pastoral tribes. Their food is more precarious, and their wretched existence is often tormented by want. The hunter must continually be employed, since he cannot, like the bees and ants, in times of plenty, make a provision

vision against scarcity and famine. These men, also, being accustomed to live amidst carnage, must have a ferocious character, and a heart insensible to pity. Nature abhors such a state, because it is entirely contrary to the end which she holds in view. The hunter cannot be the father of a family ; it becomes impossible for him to transport his infants with him, since the forest not affording a sufficient quantity of game in one spot, he is obliged often to shift his ground : the beasts fly with rapidity, and he must follow.

The hunter must therefore allow a number of his children to perish, or must wait till the youngest be able to run before he begets another son. The last months of pregnancy must also prove very inconvenient to the women. Sicknes is another perplexing evil. Lastly, old age must be sacrificed to the public good ; the aged must be butchered through compassion. These people, ferocious from their condition, must live promiscuously together, men and women ; so that the relation of husband and wife, father and child, cannot subsist among them. Two hordes meet ; hunger renders them hostile, and they exterminate each other. This state is absolutely repugnant to nature.

Nature, that tender mother, has anxiously
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watched over the preservation of the species, by implanting the desire of propagation, and by connecting the males by indissoluble ties to their females, when the former can assist in rearing the children. Behold the birds ! they hatch by turns ; the male seeks food for his mate, and lends his aid to nourish the young. The pigeon, who breeds every year, is constantly attached to his female. The animals that pasture are not subject to this law, because nature opens her bosom to the young which browse even at the time they suck. What service, in rearing the young, can a buck render to a doe, a boar to a sow, a stallion to a mare, a bull to a cow ? What profound wisdom is here displayed, especially with regard to domestic animals ! What should we do if every cow required a bull, every mare a stallion, every hen a cock ? These useful animals would induce a scarcity over the earth.

But man being feeble many years, being slower in growth, as nature seems more anxiously to labour in him in proportion to the perfection of her work ; man being likewise subject to a multitude of infirmities and wants, it became necessary that the father should watch his infant with particular care during the time of childhood. In the interim, the woman becomes pregnant

pregnant again, and the duties of the father accumulate. It would thus be easy to prove, that a man should appropriate to himself only one woman, and that from the very analogy of animals; for with respect to man himself, as he runs into every extravagance, we might be misled in taking him for a guide.

Thirdly, the race of fishers must have been the last formed. To labour on the surface of the water, must have been the effect of the arts; it supposes barks, rafts, oars, nets, and hooks. This trade also brings with it a multitude of inconveniences, and, perhaps, it was posterior even to agriculture.

Fourthly, divine agriculture has well deserved altars. Ceres and Triptolemus have alone advanced man to the enjoyment of his true riches. The earth, become immensely fertile, has permitted man to propagate immensely. United in society, the husbandmen have at once enjoyed every bounty; they have continued to be hunters, and shepherds; they have even engaged in fishing, or at least, have furnished subsistence to those of their body who addicted themselves to that employment. Our society is, therefore, the most perfect, since it yields all the comforts of life.

Man besides possesses a double liberty, the

animal and the mental. If man abuses this prerogative, it is because he is in no way subjected, so noble is his origin. We have the liberty common to all animals, and our understanding bestows on us another freedom which is peculiar to man.

WEAKNESS OF TRIBES.

THE savages of America are less depraved than the people who dwell in the interior parts of Africa, especially those of the southern peninsula, because the former join the art of husbandry to that of fishing.

They conceal the gold mines that exist in the heart of the country, with as much anxiety as the Europeans show to come at them.

They have attached the idea of liberty to the observance of their ridiculous customs. The love they entertain for their national immunities equals that of life. What impairs their force, is their being divided into a thousand tribes, and separated by characters which cannot be effaced. They will never form one body; and thus the courage of these different nations will not alarm their enemies, and will often be fatal to themselves.

With

With respect to the savages of North America, the chase familiarizes them to the trade of arms ; but the blindest presumption divests their courage of its commanding air.

Our point of honour, with all its proud delicacy, is found among these tribes, whom we look upon as barbarians. It obstructs their success, by prompting them rather to destroy than to acquire. The spirit of these destroyers borders rather upon rage than on ambition. They do not wage war ; they fight duels. To conquer, in their language, means to annihilate : They eat their enemy. They are very ignorant, therefore, of their national interests. If these various tribes had an idea of a general confederation, they would renew the ages of emigration ; and these savages would exhibit, in the new world, what the Goths and Vandals displayed in our hemisphere. But an infinite multitude of hostile republics, parcelled out into small bodies, which entertain a mortal hatred for each other, oppose such an union. It would be a miracle, if their division should cease amidst their diversity of customs.

Thus, the European usurpers, or conquerors, or, if you choose, proprietors, of North America, have nothing to dread from these people, because it may be presumed, that they will

never extend their frontiers, since, with an air of military discipline, they are really incapable of being trained.

OF THE EARLIEST CALLINGS.

THE earliest callings of the primitive age were confined to the support of life ; and in the smaller republics, we still observe the traces of this original simplicity. No one there thinks of any other object than that of his maintenance. Little cultivated, however, as are the minds of the artizans who, in these republics, follow the meanest callings, their intelligence is far superior to that of savages. The latter, excellently organized for action, are led into error by a want of knowledge, and, more especially, by a want of application. As their ideas are poor, their languages are infinitely defective, and even disagreeable to the ear.

In the savage world there are, however, almost as many varieties as in the polished world ; and as a proof that brutal nature, to advance towards perfection, has merely need of certain favourable circumstances, the Peruvians and the inhabitants of Paraguay differ essentially from the Algolkins and Apalachites. Nature, always impartial

impartial in her views, forms man precisely for a perfectionated society, in which every advantage is combined. If man loiters on the road, if he strays aside, if he shuts his ears to the universal and public voice, he thus bars against him the door to a higher felicity. If the various tribes of savages were to entertain an idea of national confederation, they would renew the ages of emigration, and would figure in the new world, as have the Goths and Vandals in our hemisphere. An infinite number of warlike republics, parcelled out into small bands, and bearing to each other a mortal enmity, resist, however, such an union ; and in the midst of the diversity of their customs a termination of their divisions would be a prodigy indeed !

Thus have the usurpers, or the conquerors, or, if you will have it so, the European *proprietors* of South America, nothing to apprehend from tribes, because it is presumable, that their limits will always remain the same, seeing that with an air of military discipline, they are truly incapable of being disciplined.

OF THE INEQUALITY OF CONDITIONS.

THAT God created men perfectly equal is a fact as unquestionable as that the sun which now shines, is the same with that luminary which shone upon the beginning of the world. But this perfect equality is applicable only to the animal part of man ; for considered as a privileged being, endowed with that liberty which he derives from his understanding and reason, and as a being susceptible of every impression of virtue and vice, it is manifest, that the degree of this equality must be diminished, in proportion to his love of virtue, his command over the passions, and the proper use he makes of the precious and divine liberty he enjoys.

Nature also having enjoined the earth to yield her fruits and bounties to the laborious man alone, and to present nothing but briars and thorns to idleness and sloth, equality must thereby disappear.

Inequality is a thing so essential to the welfare of society, that did it not exist, it would be necessary to create it politically. But it sprung up with liberty, since it is the inevitable consequence of good and evil, of vice and virtue, of indolence and labour, nor could any great society exist without it.

But

But while nature, so wise in all her operations, established inequality, did she not set bounds to it ? One man fattens to disease on the harvests he never sows, another perishes with hunger beside the crops which his labours have raised. In bestowing upon men equal wants, is it not apparent that nature has condemned such disproportioned, such enormous excesses ? The indigent class, when it feels the yoke of oppression bear too hard, has a right to resume an active part, and this frequently happened at Rome, under the reign of those crowned monsters, that seemed only to vie with each other in wickedness : they were harassed during their lives by insurrections, and almost always suffered a violent and shocking death.

Inequality, therefore, admits the distinction of rich and poor ; the poor, above all, are of great utility to a state, since it is their labour alone that forms the soul of the universe, and constitutes the true riches of the earth. Without their industry, famine would enter palaces, and the man of opulence would starve, while he repos'd on his heaps of gold. Poverty may, therefore, be considered as the foster-mother of governments ; but foul befall him, whose barbarous heart would confound it with indigence and wretchedness, the cruellest scourges of hu-

man life : these deplorable ills should be banished from every good government. Far from discouraging the poor man and driving him to despair, it is proper that he should view the rich without envy, and that he should hope to procure an easy competence, to which he should look forward, as the recompence of his toil and labour.

We ought, therefore, to preserve with the utmost care the bread destined to feed those who labour, who give life to all other beings. If they are overburdened, they will transport their industry to some other region, and will desert an ungrateful soil that refuses to supply their wants.

Ought we to commit the lot of these most useful citizens to the gratitude, or rather the commiseration of the rich, who, almost invariably, set a value on things merely in proportion to their futility ?

It belongs, therefore, to the wisdom of government, not to permit the vegetable productions of the earth to be considered as personal property.

What a preposterous abuse of the word *property* ! Where is the citizen, unworthy of that name, who will barter away the life of his neighbour for a few picces of money ? Is not the

the state a confederated community, and ought not bread to be reserved for the men of toil, who perform the great labours of society ? “ *My corn is mine:*” no, wretched miser, it grew to be eaten on the soil which produced it, by your brethren, by your fellow-citizens, with whom you have a contract of defence and service, and not by strangers, who, to-morrow, may become your enemies. Where is the bond of union, where is the harmony, in a state which knows not what portion of riches should be abandoned to the rich, and what portion reserved to the poor ?

Who is the man that was ever acquainted with this portion ? How would it puzzle ministers, if they were asked, I do not say, how many men live in opulence, how many cultivate the land, how many are employed in the arts, how many subsist on the church, in the army, in the finance, at the bar, and in the condition of livery servants, but only how many men there are in the state ? If this be known in any kingdom, it must be in France, where the spirit of enquiry has extended into every subject. Yet I have seen the population esteemed so differently, that I am very sceptical on this subject.

The ancient nations, those especially whose governments were conducted with most wisdom and

and renown, the Jews, the Spartans, the Athenians, the Carthaginians, and the Romans, knew their population by their frequent numbering. But I ask, are we as well informed on that head ? Have we adopted the effectual means of ascertaining an object so essential, an object which should serve as a basis to the theory of every wise government.

We know how many seamen it requires to navigate a vessel ; and how many hands ought we to assign to direct the vessel of state, the vessel of France ? How many should be allotted to the cultivation of the fields, to the supply of the navy and army, to the necessary arts, and to those of luxury, to the service of the altars, to those of justice and chicanery ? After deducting ten millions of women, the nobles, the lackeys, the commissaries, the priests, the monks, the bailiffs, the procurators, the serjeants, and the innumerable little shop-keepers, how many would remain for the necessary arts, and for divine agriculture ? I speak not of the hospitals, the prisons, the old men or children : but the small number of hands reserved to produce the true riches of a state, makes me tremble. Administrators, you proceed at random ! You know not accurately, what force you can spare on our frontiers, either in peace or war, and you are entirely

entirely unacquainted with the produce of our land and labour : yet you act as if you were fully master of these important grounds.

POVERTY OF THE ARTS.

FEUDALITY was only the consequence of the poverty of the arts. The lands were waste; the peasants wanted the implements of husbandry; the master, or lord, furnished them, and, for this single advance, he imposed as many obligations as he chose.

It was the ignorance of cultivation that established the theory of servitude. If so much land had not lain fallow and unoccupied by these wandering people, they would never have submitted to ask the spade and the plough from the haughty proprietors ; they would never have purchased so dearly the right of asylum, which these inhuman masters afforded around their fortified castles. The neglect of the principles of natural and civil right had originated from the wandering life familiar to these people, who could neither repel the barbarians, resist their attacks, nor seek for lands to cultivate. The *justice* of the barons entailed on the posterity of these

these wretched vassals the services due by their ancestors ; and hence those laws of mortmain which cruelty and impolicy upheld so long, insomuch, that without the interference of the kings of France, who, to enlarge their own authority, diminished that of the lords, by restoring to the commons a part of their liberty, we should, at this day, have been groaning under the heavy hand either of the clergy or of the nobles, too little disposed to receive notions of sound policy, for they can hardly imagine that mortmain is an injury to man, and a real invasion of his dearest rights.

Yet the feudal government had its bright days. The serfs, paying impost only to their lords, received from them an asylum and protection : the arts of the times, the enjoyments of the age, submission, and religious morality, were allied with the ignorance which almost universally prevailed. The cause of the people was entrusted to the nobles, among whom were some generous minds. Their strange whimsies prove that they were not indifferent to a sort of gaiety, which, though rude, disarmed their pride.

Feudality became terrible, when the sovereigns added their imposts to those exacted by the barons : the people had then two masters ; and oppressed with a double burden, they were

no longer watched over by that vigilant and paternal eye, which, from the top of the castles, took a sweep of a certain extent, and invited the peasants to share the bounties of the earth, and assist at the festivals of the haughty noble.

The people were obliged to obey two opposite authorities ; nor, at present, do they know which is their true master, the monarch, or the proprietor of the sief, for they are obliged to pay both. They are both alike grievous, and have ruined certain baronies, either to the destruction of feudalism, or to the aggrandizement of the monarchs. Thus did the old laws spread among the new, as rotten and decayed trunks are seen beside the green trees, recently sprung from the bosom of the earth.

War is the mad work of man ; famine is the fruit of his ignorance and sloth. The cultivation of the arts and sciences prevents famine ; it repels pestilence, or confines it to a narrow space ; and, perhaps, we could avoid a train of diseases, by adopting different changes in our manners, our dress, our lodging, and our food.

Yes, it would be the great perfection of the arts to supersede that multitude of public and unwholesome labours, that great number of dangerous occupations which abound in concealed poisons, as well moral as physical ; for the

the scourges which afflict the human race, must necessarily be the lot of the nations by whom the cultivation of the arts is neglected.

If the northern part of Europe were still in its former situation, when its inhabitants did not plough the ground, we should still see all the people who occupy the shores of the Baltic, obliged to exercise the trade of their fathers, and to procure subsistence by carrying devastation and murder into their neighbour's territories.

If for the space of more than five centuries, Europe presented a continual ebb and flow of people, towns sacked, countries laid waste, empires overturned; it was, because these barbarians, who lived chiefly by hunting, as they grew numerous became more straitened for provisions at home, and were constrained to march in quest of food into richer countries. Hence that ferocity of manners, those migrations, those ravages, those continual massacres; for such was anciently the noble and only occupation of all the nations of Europe.

What opinion shall we now entertain of the system of those who assert that the arts and sciences have degraded the human race, while, since the lands were cultivated, since manufactures flourished, and since, by means of commerce and navigation, all countries interchange with

with each other their superfluities, men are no longer under the hard necessity of issuing, like so many famished wolves, from their retreats in pursuit of prey ?

The arts and sciences have doubtless their inconveniences ; but do these inconveniences balance the advantages which result from them ? Can they be compared with the ills that follow the neglect of them ? And may they not one day have a simple and consistent aim ? Besides, are there not at present remedies against the luxury which they foster ?

Nations may learn, in the inexhaustible cultivation of the arts and sciences, to avoid the cruel folly of waging war ; and the instinct of propagation may have its full and entire effect without real danger, when agriculture, advanced to its utmost improvement, shall display the infinite riches that each generation can obtain in the progress of the arts, which daily discover in the empire of nature, new sources of life and of enjoyment.

The United States of America alone, by their wise and humane laws, are capable of absorbing the overplus exuberance of the human species in the old world for three centuries.

Polity, and the arts, will satisfy all the wants of the human species, when civilized nations,

instead of a fatal principle of ambition, of vain glory, or of vengeance, shall dismiss their jealousies and suspicions, and embrace ideas at once more generous and more salutary.

Is it possible, that the criminal and ill conceived avidity of governments sometimes should forbid the earth to yield her treasures, and should check the multiplication of the most useful species ?

Half-a-dozen horses and cows were transported by the Spaniards to Buenos-Ayres : no tax-gatherers were there to oppose the bounties of nature. These useful animals have since multiplied so prodigiously, as to have spread over the whole extent of country, from the river de la Plata to the Straits of Magellan ; they are killed by thousands, says Admiral Anson, merely for the sake of their hides and tallow. Father Labat assures us, that, in the island of St. Domingo, there is also a multitude of wild horses and dogs, the offspring of a few animals of these species which the Spaniards had introduced.

The human race will never be too numerous, even when every inch of ground, in any region whatever, shall be cultivated to the best advantage, and when commerce shall have supplied those necessary productions which the territory itself shall deny.

OF THE GENUINE LOVE OF GLORY.

WITHOUT the love of glory, a passion which leads at once to virtue and to renown, the statesman would be deprived of the necessary incentive to the career of heroism.

He who despises glory, despises likewise the virtues which conduct to it. The man who asserts that public esteem is not an object of desire, will soon add, with full conviction, that the public scorn is not an object of aversion.

Place the statesman in one of those delicate conjunctures, where he must sacrifice his person to save his virtue : if he reflects on the judgment which posterity will pass upon him, he will not hesitate a moment, but will prefer honour to revenge.

Great achievements may be expected of him who connects himself to futurity, who is emulous to pass through life with applause, and to transmit a glorious and unspotted name to succeeding ages.

That man is feeble and diminutive, without energy, and without greatness, who limits his affections to the short term of life ; who, like the brute that regards neither ancestors nor posterity, submits to terminate his ex-

istence in the interval between his birth and his death.

Would to God I had the thunder of eloquence to hurl it upon the heads of that vile herd which surrounds the thrones of the universe, and confines its affections within a narrow circle ! Who is then this man so totally abhorred in the spot which he occupies ? This soul must be void of feeling, and his understanding contracted : he destroys the connections which constitute his force ; he interrupts the circulation of mutual services. If every one were to follow the same system, concord would be banished : individuals would be at variance, and armed against each other. This man wrapped up in himself, could not reasonably expect esteem or services from others. What would become of friendship, of benevolence, and compassion, of whatever assuages the miseries and props the weakness of human life ?

Ungrateful man ! If you are not quite hardened, open your eyes and look around you. Long before your birth, you have been an object of care ; enjoyments have been prepared for you, of which you are unworthy. These solid houses, these levelled streets, these road these ancient and hoary trees, these solacing arts, these ships which traverse the ocean, these husbandmen who

who have cleared the ground, these wise political laws which lay the foundation of tranquility, all betoken a bencficient genius which has extended its views to posterity ; which has not confined itself to transient conveniences, but, with a generous foresight, has embraced the beings which still repose in the night of non-existence. And shall the wretch arrived at maturity, reaping the fruits of the labours of ages, and enjoying the pleasures of improved society presume, that his obligations are acquitted, and shall grasp every thing to himself, without sense of shame or modesty ?

This egotist excites horror, because he shows the deepest corruption, and the most obdurate insensibility. Alas ! since he is incapable of feeling the joy of the man who was useful to his species, let him at least contemplate the debt, the homage paid to him, when he left upon earth the traces of a generous and beneficent soul ! If he is denied the glow of inward satisfaction which springs from a great action, may he at least witness the esteem, the respect, the veneration entertained for his name and his descendants, and may he, at least, be zealous of the advantages granted to them.

Our age may be reproached for incredulity, with regard to virtuous actions : and we are too

much disposed to attribute the most splendid achievements to mean or interested motives.— In France especially, we are accustomed to consider all men as having the same pursuit, and the same character. It is even alleged, that there are only two classes in the world, the artful and the unfortunate.

It requires, therefore, in the present times, a vigorous, constant, and perpetual struggle for a place-man to gain the public esteem ; and when once it is bestowed on any name, notwithstanding the efforts of calumny, it must be well merited ; a new motive for encouraging the minister, and for decorating his triumph. He ought, perhaps, to thank his age for this salutary rigour ; it will turn out to his advantage, since he will thereby, support with more force the dignity of his rank, and the majesty of the laws.

OF THEOCRACY.

A RELIGIOUS government is by its nature despotic. It arrogates the same infallibility in the civil, as in the ecclesiastical regulations : it will suffer none to contradict, or to oppose it.— This government comprehends the moral and political

political world, as the legislator estimates better than any other the influence of fear, credulity, hope, and power over man ; at the same time, it secures to each individual his personal immunities. The inhabitants of Paraguay were really equal. At present, the people of Rome enjoy a very large portion of liberty, and they need not envy some republics.

This government, sometimes paternal, has, therefore, its advantages. The priestly sovereign then imitates the goodness and piety of God, who placed him upon the throne : he is more indulgent than other kings, and more sparing of the blood of men ; and if intolerance be excluded, his legislation is sublime.

The manners of the Roman pontiffs were for a long time pure. There are bright periods in their history, which show that the spirit of Christianity had penetrated their hearts. The Jesuits, by the polity which they established in Paraguay, did honour to their religion. It was beneficent ; chastisements alone were sufficient to restrain that people within the bounds of necessary labour. The missionaries sometimes joined the temporal to the spiritual authority, because, being acquainted with various branches of learning, they reigned by the ascendancy of their knowledge, ever superior to that of force ;

they gave barbarous tribes sound ideas and wise laws, agreeable to equity and reason ; they planted the useful arts in America. Theocracy would be the sublimest of governments, if, after converting men to God, it would preserve for them that liberty which they derive from him, or if, at the seasonable time, it should rouse the oppressed subjects, against the efforts of tyranny. When theocracy wields the most powerful engine for crushing armed despotism, it will be infinitely superior to those military governments, whose forces engage in mutual conflicts and tear the bowels of the state.

Theocracy, founded upon intimate persuasion, belongs at least to the man who adopts it with credulity or enthusiasm, and hence it reaches the sublimest operations of human courage.—This is evinced by history. The utmost pitch of heroism has been displayed alone, in theocracies which have never humbled man, as the military governments have done ; for it cannot be doubted, that taking all things together, priests are more valuable than soldiers. The latter are ferocious beings, who act blindly like engines of destruction.

But religious governments are most subject to be shaken, and this distinguishes them still more widely from a permanent despotism. The novelty

velty of a singular idea produces alone a new fanaticism. If the religious notions cease to dazzle by the charms of novelty, the system falls to pieces of itself. Policy and bravery will, sooner or later, overcome the religious principle, which is calculated only for particular times and circumstances. The Jewish theocracy was extinguished by the Romans; the dominion of the Califs was destroyed by the Tartars; the Dairi gave place to the Cubo; the emperors deposed the popes; and the empire of the Sophis has, latterly, fallen by the Daghestans. Religious states ought to dread what happened at the pillage of Rome; the ornaments of the altars served for the sport and amusement of the soldiery.

OF CHRISTIANITY.

WHEN the Christian religion first found its way into Japan, the people, groaning under the yoke of the nobles, manifested a singular attachment to a moral system, so thoroughly calculated to efface the odious distinctions between man and man. On the one hand they were daily exposed to the unrestrained vengeance of their rulers; while on the other, they had a glimpse of real happiness in the benevolent maxims of Christianity:

Christianiry: and, in the mean time, the experienced arrogance and ferocity of the nobles, formed a strong contrast to the gentle doctrines of the missionaries. Christianity had, in consequence, strong proselytes in Japan, because the people there were very wretched. Its principles will remain engraven in the hearts of many of the Japanese, because they will consider them as excellently fitted to overturn the tyranny of the most detestable government that has ever afflicted the human race.

And when, in old times, the inhabitants of France so readily embraced the Christian religion, it was because they sought in that religion a protection from their miserable slavery. They threw themselves into the arms of the clergy, who, at that barbarous æra, while they presented to them knowledge, held out to them a relief from the yoke and tyranny of their atrocious conquerors. They then, in reality, bestowed on them an existence, which, without their mediation, they could not have enjoyed; those who submitted to the baptismal ceremony ceasing to be slaves. Now, if the clergy had not since degenerated; had they retained their original spirit, instead of uniting, in process of time, with the princes by whom the people were oppressed, so as to obtain a share of the national

national spoils, we should, instead of a history of certain great houses, have had handed down to us a history of the people of France ; and instead of a detail of the interests of a few warlike nobles, we should have had to peruse a truly interesting history, such as are those of the Romans, Greeks, and English.

The very few good kings France has to boast, evince that the clergy have not, in these times of greatness and splendour, kept their promises with the unfortunate and numerous part of the nation : they, therefore, cannot now claim their ancient indulgencies, more especially as they have altogether changed their system, and are become the slaves of riches.

To diminish these riches is now the interest of the bulk of the citizens. Juridically speaking, the privileges of the clergy are uncontested ; but the sacrifice of them is necessary, political, and natural.

The law of the Christian religion, which forbids the use of meat at the time when animals multiply their species, is transcendantly wise ; as is also that which, instead of a plurality of wives, allows one only. The latter, it is to be remarked, is as conformable to nature, as it is founded in the truest policy, since it is proved, that

that in every country the births of males and females are pretty nearly equal.

OF THE JESUMI.

THE Jesumi is a ceremony practised at Japan, to discover those who are attached to Christianity. It obliges every one to tread on the image of our Saviour fastened to the cross, and on that of his holy mother. The images are carried from house to house; and to this profanation even infants at the breast are subjected.

We are told that the Dutch, impelled by the insatiable cupidity which marks their character, and desirous to trade exclusively with the Japanese, recommended to the latter, with a view of barring the door of commerce against others of every denomination professing Christianity, to place a crucifix on the ground, at the spot of debarkation, thence to ascertain whether he who should land were or were not a Christian.

In their commerce with the Japanese, the Dutch have accordingly renounced Christianity, treading beneath their feet the holy image without scruple and without reluctance. They have thus

thus monopolized the trade of Japan, the English having refused to follow their impious example.

This act of treading on the cross has been vindicated by several Dutch casuists, on the plea, that their countrymen could not otherwise obtain admission into Japan. They seem to consider it merely as a necessary dissimulation, because the intention which gave rise to it was good: *aut i sacra famis.*

OF THE ROMANS UNDER SYLLA AND MARIUS.

MACHIAVEL, wrote his work, entitled *The Prince*, for wicked men: infernal as it is, the practice before his time surpassed all his theory.

In the time of Sylla and Marius, the Romans, I am fully persuaded, were the most dastardly of all the human beings who ever existed on the surface of the globe.

By an express law, every citizen was permitted to slay him who should prove a tyrant: and this law, heretofore engraven in the heart of every Roman worthy of that name, was then not enforced! At the time of the proscriptions, he who had seen on the bloody lists the name of his father, of his brother, of his friend;—he
who

who had witnessed their death ; this vile and cowardly man, forgetting that he had an arm, and that the tyrant had but one life, forbore to plunge the poignard in the bosom of the executioner of his family, to enjoy, at least, the pleasure of expiring the avenger of the sacred rights of humanity, and the deliverer of his country ! At the death of Sylla, the women stripped the ornaments from their heads, burned incense, and honoured the monster who had tranquilly ordered the massacre of his fellow citizens, who had enriched his prostitutes, jesters, and satellites with their spoils, and who, to the most sanguinary ferocity, united the vilest debauchery ! Upon Cesar's death, this same free and revengeful nation, wrought upon by the artifices of a vain eloquence, seized on firebrands to burn the houses of the conspirators, the heroical defenders of their country ! What is man then ? And how, from entertaining the most elevated sentiments, does he fall into so grovelling, so degraded a state ? It would, then, appear, that tyranny can with great ease cajole men, even after having spilt their blood ! Are they forgetful of their calamities ? Are they almost insensible of those which do not personally attack them ? or does the terror, with which they are inspired by the cruelties they witness, take such

a hold

a hold on the mind as to make it blunt and torpid ? Who will explain the human heart ? And how does it support evils upon the termination of which it cannot calculate ?

A nation which understands not its rights, which supinely bears its political ills, which fancies its calamities inevitable, and which never turns its reflections towards these great and important objects, is calculated for wretchedness and slavery.

The natural rights of man have been thus clearly defined : *man has a right to whatever can contribute to his welfare and felicity.* He has therefore a claim to happiness, which, as a thinking being, he should both seek, and endeavour to extend.

The wandering hordes of savages give us a truer insight into the laws of society than do several of the modern states. There we may perceive an assemblage of simple and natural laws, which, notwithstanding we, in our descriptions, have so variously jumbled and confused them, are delicately interwoven with each other.

When an immense nation considers itself as the property of one man, ought it not to be necessarily punished for its cowardice, its weakness, and its ignorance ? What would otherwise be

be full of those generous minds who know how to reason and defend themselves?

The sovereign must be made to be just, that is to say, he must be watched. It is on this account that the English are fond of political storms, by which the monarch is kept awake.

Wherever the public voice can venture to make itself distinctly heard, the prince, and his ministers, are restrained, and the supreme power prevented from exceeding certain limits. The subjects then forget the unlimited power of the sovereign; and, certain that he will be kept in check by the bonds of opinion and decorum, rely on the ascendancy of national manners, to which, they think, no violence will be offered. Princes would fancy themselves outraged if they were to be called by the appellation they dread; and on the ground of this apprehension of theirs, they are constrained not to abuse their authority.

On his side, the sovereign sees the surrounding nations attentive to the cries of the people, and disposed to repeat them. He dares not unblushingly brave the opinion of enlightened kingdoms. If he nourishes any designs, he gives them the stamp of the public welfare, at the same time that, jealous of the virtue of the real patriots, he assumes, in spite of himself, an air of

of nobleness and grandeur, and shudders at the very idea of being obliged to contemn himself.

Solon, when he was asked what was the most desirable government, replied with much justice and truth : *that in which an injury done to an individual interests all the citizens.*

The people, unable to calculate upon dangerous changes, have, notwithstanding, the means of coming at the pernicious tendency of any attacks made upon liberty. As the true principles of policy reside in the human understanding, that is to say, in the nature of the affections of man, arising from those secret ties which unite men in society, the people, without wandering into abstract questions, perceive, at the first glance, whether their privileges are respected. Thus, in England, whenever the liberty of the press shall be infringed, the *tocfin* will be sounded ; and thus, in France, no sooner does the monarch name a *commission*, than an universal perturbation ensues.

All that I have said goes to prove, that a natural constitution of government changes and varies ; and that the members of the society constitute the society itself much more than does the sovereign power.

Those must be blind who cannot perceive that nature also is a legislator, since she has

placed an insuperable barrier before the true constitution of states. When this constitution deviates too far from the rights of man, it suddenly resumes its natural form, and dictates the laws of the great revolutions by which it is regenerated. As soon as you perceive rebellion and revolt, be sure that a part suffers, and aims at making the tyrants suffer in their turn. The efforts of the latter may be terrible ; but the elasticity of those who suffer must and will have its play ; there are invisible ties which depend not on policy.

A king is dethroned amidst violent convulsions ; and this is but the fall of one man. The new government takes a stable form ; and the family deposed ought no longer personally to interest the general system.

LARGE STATES, ANCIENT STATES.

THE more extensive states are, the more remote is their antiquity. The larger states are situated in Asia ; and the Asiatics were, therefore, the earliest acquainted with the advantages of civilization. It surely required time to unite a multitude of tribes, and form them into a mighty nation obedient to the laws.

The

The Chinese had acquired many branches of industry, when we were still savage hordes.

The Asiatics have long clothed us, and have taught us how we should be clad. While we were feeding on our bitter acorns, they trusted not their subsistence to chance. The scholars have now outstripped their masters; but the time will come, when these people, who imparted to us the arts, still in their infancy, will become our rivals. They will follow our progress; so certain is the communication of knowledge, and the flux and reflux of the sciences throughout every part of the globe.

The wider an empire is, the more need has it of a principle of unity, that is, of a single chief; because the cries and wants of the distant provinces require a prompt auxiliary armed with the public force. Hence large states are more than any other exposed to fall under the arbitrary control of a monarch. The empire presenting the most extensive surface, has, at all times, had most enemies to contend with, and the multiplicity of passions within its confines have been more difficult to restrain. It became necessary that the military body should be entrusted to one leader, and when a nation is obliged to keep a powerful army on foot, the soldier kept in pay, and moulded to slavery, ac-

knowledging no authority but that of his commander, and despising every other law, either active or dormant, becomes an enemy to the liberty of others. To avoid dismemberment or conquest, a vast empire must make great sacrifices of its partial liberties, else it would experience domestic anarchy and foreign devastation. There is no compensation but the enjoyments which the meanest citizen may taste, when, confounded among the multitude, he meets with all the arts that charm leisure, and finds in the useful laws of police, the convenience, the relief, and the pleasure which the political laws deny him.

At Rome, the human race was not free, since the Romans had their lands cultivated by slaves kept in chains, who were obliged to sleep in moats, from which the ladders were nightly removed. Three-fourths of the inhabitants of Rome were slaves : barbarous masters cast them alive into the ponds to feed the lampreys. The unfortunate wretch, who, happening to break a costly vase in the house of Vadius Pollio, with whom Augustus was at supper, entreated to be killed before he was delivered to the fishes, could not obtain this small favour, notwithstanding the interposition of the emperor. Was this a republic ?

At Athens, there were twenty slaves for one citizen. At Lacedemon, the slaves were exposed to every danger; they were way-laid, and butchered by thousands, in the course of a single night. Was this a republic?

Will it be asserted, that a republic resides in St. Domingo, or in the greater part of the Indies, where the thirst of gold and inhumanity have erected a throne of iron? For if the person is not free, if real slavery oppresses the majority, these vaunted republics exhibit only the manners and customs which still prevail in Barbary. The essential property of a freeman, which consists in the command of his own person, having been denied the bulk of subjects of these ancient governments, the liberty which remained to the few ought not to be reckoned; and these states should be erased from the list of republics, the character and natural liberty of which are granted to each individual.

The Parthians, on the contrary, who treated slaves like children, who, in default of political liberty, granted them natural liberty, and philosophical liberty, founded on humanity, the Parthians deserved the name of republicans; for we ought to search governments to the bottom, and judge them by their effects, not by the appellations they receive. Remove from the an-

cient republics the mask of liberty, and from certain states that of servitude, and you will be convinced that the different sorts of liberty must be estimated by the degree of respect paid to the human race, and by the nature of the treatment bestowed on slaves or domestics.

In this view the tribes styled *barbarians* have better maintained the privileges of man, and have cherished a deeper germ of republican principles, than many polished nations, which, by the disorders of their police, feudal tenures, and the point of honour and superstition of the nobility, have harassed the human species in an infinite variety of shapes.

OF PLATO.

THE republic of Plato is altogether visionary and fanciful ; but his book has a fatal tendency, because it holds out an idea of a perfect government, as if states, regulated by laws, however wise these may be, were not inhabited by men always ready to abuse the laws, and to overturn the edifice of the legislator.

The maxim which has been found so true in morals, and which in policy is incontestible, *that the BETTER is the enemy of the GOOD*, should be

be carefully meditated by the legislator, who will otherwise not merit that sublime title. There is a certain order of things in which the law ought to give way, and accommodate itself to the imperious passions ; for it is better to lay open the dike, than to suffer the stream to burst its banks. In politics, an attentive regard to the caprices of fortune, ought, at all times, to render the statesman circumspect ; and, as it is impossible to calculate upon the future, a sensible and humane policy will turn its view to the present, and, yielding to the prejudices of men, will be sensible, that to govern with the best effect, it will be absolutely necessary to please.

It has been observed, that some nations glory in having bestowed on their princes all the authority necessary to do good, without investing them with the power to do ill. Upon attending carefully, however, to all the drift of this observation, we are utterly surprised at perceiving, that, by depriving these princes of the power to do ill, they are crippled and prevented from the accomplishment of the good : they must be spectators of the new abuses contrived by the wickedness and degeneracy of men, abuses which a government alone can repress.

It has, perhaps, been noticed, that I have constantly avoided touching on the type of the

English government, because I view it as a political phenomenon. This admirable constitution depends on physical locality ; it may last for ages, it may fall in an instant. It is a machine superiorly organized ; but the elements of which it is composed, are, I may venture to say, contradictory to all the common rules of policy. The machine of the English government moves, and that sometimes in a superior way : it is an object of surprise to every reflecting mind. It strikes me, that its equilibrium is maintained, more by a great mass of intelligence, than by the mechanical organization of its parts ; and what confirms me in this opinion, is, that when the movement ceases, the national genius still defends the laws, which have then no other basis.

Happy Englishmen ! blest above all the sea which surrounds you, since, without that, your constitution would not have taken root. You have good laws, but so much has nature favoured you, that even had these been bad, you might still have flourished. A precious liberty has fallen to your lot ; but this already in a slight degree oppresses you. Be careful least you one day sink under it ; for political liberty has its boundaries, and I do not think them very extensive.

Englishmen ! time has by degrees done every thing for you, while your policy has altogether consisted in profiting by events, and on this policy your reason seems to have impressed its character and its stamp. In each state, if I may be allowed the expression, there are a flux and a reflux of powers. Despotism has lost several empires : be fearful that liberty does not ruin yours. Preserve your political terms, since they are so dear to the people ; but still yield to the circumstances which may occasionally suggest new ideas.

Englishmen, pardon my fears.—I never see a living being confide solely in the equilibrium, but I tremble for him, while he fills me with admiration.

THE CHINESE.

AN empire composed of two hundred millions of individuals, such as is China, at the first view excites our admiration ; but it is impossible that so great a mass can be so organized as to favour the development of all the faculties of man. The natives of the east are slaves, because they have continued ignorant of those great principles of government that lead to liberty.

berty. In China, the eternal imprisonment of the women is an unjust custom, which, in the most direct way, attacks the principles of society. The exclusion of strangers from the empire is a savage law, by which the natural society between all men is proscribed ; while pride, ignorance, and an ill-conceived terror, have built the impregnable wall that shuts out human intelligences.

The Chinese labour, therefore, under a kind of slavish apathy, which obliges them blindly to submit to old laws they have not the genius to analyze. By these laws the general principles of society have been violated ; and the tyranny exercised over the women has destroyed the asylum of manners. Thus does this nation, in its habitudes, appear rather to sleep than to live.

In a word, the art of governing two hundred millions of individuals, and that in a manner worthy of their noble origin, appears to me to surpass the powers of the human mind. We are not sufficiently instructed to be capable of truly estimating the moving forces of an empire, the dimensions of which are so very extraordinary.

ADDRESS OF AGRICULTURE TO THE CONSTITUENT
NATIONAL ASSEMBLY.*

GENTLEMEN,

RECEIVE the humble petition of *Agriculture*, first creditor of the state, mother of all the arts and all the comforts of life, a mother the most tender, the most feeling, and the most worthy of your protection :—

Against certain perfidious arts, equally proud and useless, that under the titles of *painting*, *sculpture*, *architecture*, and their endless train of dependants, have degraded the labour of the

* The public prints have not mentioned an address recently presented at the bar of the National Assembly, by a woman in every respect interesting, and to whom all the world owes respect, I shall describe her appearance.

Crowned with heads of corn, she wore a vestment of green stuff: she held in one hand a flowering shrub, which she eyed with the tenderness of a mother, and in the other the stock of a vine, which served for a staff. On her robe was traced the circle of the twelve zodiacal signs. Her air was nobly simple, and modest, her figure majestic, and her deportment full of gravity. Her veiled, but prominent bosom, bespake the good mother of a family: she came without ceremony, and without attendants; she carried not on her breast the *revenue of a duchy*; her necklace supported a *fleece*, from which hung a small *plough*, a *sickle*, and a *bce-hive*.

[The reader will perceive that this is emblematical.] *Translator.*

hand,

hand, and the cultivation of the ground ; while they are only ill formed children, showy on the one side, and monstrous on the other, who suck my milk, and unprofitably dry up my breasts.

Afferting that, though I existed before any of the fine arts, though without me no being, no tree, no plant could live or yield fruit ; still the futile arts, the unsubstantial sciences have plainly usurped the preference over me, and are much more honoured in the *academies*, and in the discourses of rhetoricians.

If whatever lives requires food proportioned to the capacity of its existence ; if whatever grows must support its progeny at the expence of its own growth ; all that lives, and all that grows, owe a tribute of labour to the soil. But these brilliant arts, which ought to have been consecrated merely to the decoration of temples, of public monuments, or of the palaces of legislature, have become corroding scourges, since they have been suffered to pass their natural bounds, and have been abandoned to the pride and caprice of opulence. They have carried desolation into my rich domains ; they have turned aside the course of my bounties. How much have I not had to regret the loss of so many hands, and the scandalous dwellings of statesmen fattened by my calamities ? Alas ! the genius

genius of the arts, granted to man to celebrate immortal achievements and encourage virtue, forgetting its origin and its noble destination, has not blushed to enlist under the banners of the vices, and to prostitute to them its guilty pencil ! This false taste, assuming new changes at will, has, on all sides, spread its dismal ravages. Proud architecture, stripping me of immense possessions (entrusted to my care to support my children) has devoted them to a pompous sterility, while *painting*, still more fatal, has swallowed up my riches in luxurious saloons or in dark *boudoirs*.

Afferting, moreover, that, though I am a thousand times handsomer, and more splendid than *commerce* (my flourishing child, notwithstanding, but incapable of performing any thing without my aid, being only the carrier, while I furnish the materials) yet the latter seems to command all the public attention, to my great detriment. You know, however, gentlemen, that all the charms of the world first proceeded from me ; that I multiply men by augmenting their subsistance ; that I support generations in the primœval state of health and strength ; that no philosopher will ever explain my phœnomena ; and that the beauty, grandeur, and power of a state depend so essentially on me, *that without*

without my assistance, all men would perish through hunger.

My heart is of all the most social, as it is the most innocent ; without me there could be no great states ; the neglect of my labours throws nations into indigence and barbarity. Victory gave all the earth to the Romans ; but these haughty conquerors refused to cultivate it, leaving to bondmen the dressing and clearing of the fields. This criminal disdain reverted against them, and contributed more to destroy the empire, than all the barbarians who invaded it ; an agricultural people possesses the trunk of the commercial tree ; all the fruits belong to it, while others obtain only a forced and precarious share.

For these reasons, gentlemen, provide that *agricultural labours* shall be re-established in the highest honour, so that France shall henceforth be a kingdom splendidly and truly agricultural ; because such is the *real power* conferred on it by nature, and such should be the immortal *basis* of its prosperity. I loudly repeat it, gentlemen, I am evidently the first creditor of the state, and I shall fully discharge all the debts of the state, provided the state will restore whatever is mine, and pay me all that is my due.

I declare that if, instead of converting my labours

bourers into lackeys, my ploughs into the harness of pride, my corn into the dust of vanity, France should will otherwise, she will, with my assistance, become the granary of Europe ; and far from seeking your timber, your hemp, and your flax in foreign countries, you will furnish these articles to other kingdoms. If the French would, in the sequel, renounce the blind rage of *handling* gold, of working on barren metals, I would render them richer in *commodities*, and even in *gold*. For God has willed, that man should toil the ground to obtain constant riches ; on his labour and industry, the bounty of the seasons depends ; the stars, the showers, and the winds have, by turns, their salutary influence : and as the fostering treasures of abundance are not due to *chance*, the presents which I pour forth, are always in proportion to the care bestowed on cultivation.

Accept, gentlemen, an hundred thanks, for having restored to my empire *the domains of mortmain, which I never surveyed without weeping eyes*. Once more become national property, you shall behold how they will flourish, when industry, more active, and infinitely more varied on small farms, shall have stampt on them the impression of a new and productive labour ; whereas, hitherto, of all these *immense domains*, there

there remained only a certain *royal water*, which, when decomposed, yielded nothing but the poison of aristocracy. The Goths, the Vandals, and the barbarians of the North, jealous of the *chace*, and valuing this exercise alone, it is they who have inflicted on me every possible wound. The catalogue is dreadful: there the *tything-men* waged war on *artificial meadows*, those pastures ever luxuriant: there the intendants seized or burnt the hives of the laborious bees, those precious insects which Virgil has sung: they were expelled by the *imposts*; the *intendance* annihilated the wax and honey, which were, therefore, procured at a great expence from abroad. Soon would feudality have reclaimed the seigniorial territory; but you, gentlemen, came. What twenty kings of France, and fifty-six ministers, neither would, nor could perform for me and my children during the lapse of many ages, you have happily accomplished in the space of a single year.

Complete, gentlemen, the favouring of the most necessary, the richest, and the most extensive establishment in the state; complete the instructing of men in their felicity, and the propagation of a sound polity, till now, too much neglected. Already you have taught my children to know their *natural dignity*, their scale of

of importance, and above all, their ability to promote the public prosperity. You have delivered me from *feudal* right, from *royal and seignorial corvées*, which swayed with an iron hand, and disputed the inheritance of my labours. Those old *feudal* and *fiscal laws*, which jointly disgraced the soil of France for so many centuries, are at last annulled. Your bounties, gentlemen, are inestimable; they are at the same time so extensive, that the nation, I affirm, *had no real existence prior to your new laws*. The husbandmen, without your interference, would have been eternally exposed to all the depredations of an *aristocratic court*, which could hardly add to its insatiability, but would have maintained it by expedients, subtle, violent, and always destructive of public felicity.

Yes, you have done every thing to favour the *people*, the *unfortunate people*, who, feeding the nation, bore also all the burdens. You have chased away those unjust acts, *reduced into the civil code*, which, by the assistance of time, tyranny had collected and consolidated. Those monsters have fled, the creation of the avarice and cruelty of princes, that horrible train of partial and grievous imposts, the *corvées*, the *taille*, the *gabelle*, and the game laws.

The *corvées* demanded the labour of my

children to construct broad ways, on which the chariots of opulence might roll ; the *taille** oppressed them by its multiplied weight ; the *gabelle*† obliged them to pay an exorbitant price for one of the first necessaries of life, with which the liberal hand of nature supplies them as a fifth and salutary element ; the *game* devoured the harvest they had sown, and they were sent to the *galleys*, if they dared to drive away the birds, or even disturb their repose : for the insolence of despotism, when it once gains a footing, has no bounds.

After the reaping of the corn, appeared the *dixme** ; then came the rights of *minage*†, and *ghallage*‡, those of *peage*||, and those of *bannalité*§, and when the farmer, after so many burdens, went to sell his produce, the lord of manor had usurped the *privilege* of exposing his own first to sale. Lastly, most of my children, scattered over the plains, were subject to the *voluntary tax* of their lords, to a *personal tax*, to the taxes of *watching and guarding*, and to servi-

* A sort of capitation tax. *Translator.*

† The tax on salt. *Translator.*

‡ The Tythe.

§ The rights of supplying measures.

|| The right of furnishing market-stalls.

|| The tolls or customs.

§ The obligation to grind at the lord's mill.

Translator.

tudes,

tudes which involved *property* and *person* in slavery. In addition to all this, a dreadful lottery, under the name of military service, threw my children into perpetual alarm ; it filled their pure and sensible minds with the most cruel anguish, and forced tender mothers to groan and to bewail their fertility. Despotism, calculating its outrages, generally from the most chimerical ideas, to mark the personal servitude of *my family*, dragged to battle the husbandmen, while it exempted the *lackeys* and the *artizans* in towns. The tears of the disconsolate peasants flowed in vain, and only redoubled the rigour of the *intendants*, the obdurate executors of these violent orders. The countrymen sinking under the load of despair, bade adieu each to the humble cottage he inherited from his ancestors, and went to lose their *life* or their *morals* in those armies, which chance, the ignorance, the caprice or the self-love of their leaders, afterwards sacrificed at will. If they returned not maimed, my dear children returned libertines and disqualified for rural life. All these useful hands which deserts had torn from me, all these ardent hearts which war corrupted, are now, thanks to you, restored to me ! How sincerely do I congratulate myself, gentlemen, at your having expelled a scourge, which three dynasties of *crowned heads* confirm-

ed more and more. But while so many ministers laboured for the *elevation* and not the *grandeur* of a single man, it was worthy of you to labour for the welfare of the kingdom.

Alas ! How great was the barbarity ! The *noble* payed not the imposts like the other citizens, because he had more possessions to guard and defend ; and because he was more opulent, he set up absurd principles which exempted him from contributing to the public charges.

Tax the uncultivated lands, gentlemen ; and since reason enjoys its full energy, tax the villas, the parks, and the enclosures, so many exclusive possessions ; above all, tax the *English garden*, and all those extravagant fashions which spring from the puerility of the pretenders styled *artists*, employed in imaging the rocks of the *Alps*, and in representing, with muddy canals, the cascades of mount *Jura* ; yes, tax these futile creations of the *nobility* and of the *financiers*, so worthy their foolish origin, and which swell the pride of their stupid proprietors. The opulent should bear the greatest load of imposts, for the task, or rather the great excellence of legislation, is constantly to better the condition of the poor.

It is you, august assembly, who have boldly removed the *ponderous ages of fanaticism, barbarity and ignorance*, to discover under these hideous and

and rotten masses, and to raise up *justice* and *humanity*, crushed indeed, but instantly revived, fair in their immortal lustre, and strong in their majestic simplicity. You have revealed the *eternal rights* of nations; and the fantastic beings which insensibility and the spirit of domination had created, have quickly disappeared. Those frightful illusions, invented by the selfish despotism of courts, that execrable balance in which *men's heads* were weighed against a *vile metal*; all are vanished.

We may here contemplate and adore the views of Providence. That benevolent guardian invites man continually to improvement; she gives him *understanding* to frame laws, and *arms* to exterminate tyrants. By clinging to my *breasts* he will draw the elements of the most perfect civilization, the true social order; for the *best existence* of man is to follow closely the principles of nature, and to square himself with her eternal laws.

But these principles belong to me, since it was I that built the first *civil house*; and I, therefore, fashion the *morals*, I am the source of the *domestic virtues*; because, surrounding man with my useful riches, I make the fairest and most prosperous fruits of *morality* to spring up, beside *those* of the earth.

You have well conceived, gentlemen, the basis of the social compact, and, guided by the torch of philosophy, you have recognized that all men were *equal in rights*. Suddenly you have destroyed that chimerical distinction of *ranks*, for with this fatal distinction every thing in the world was appropriated to the *clergy* and the *nobility*; the rest of mankind seemed to be *created* merely for the *throne*, and for an *aristocratic court*, which exalted the idol only to devour the better in its *name*.

Your labours will not be fully known and appreciated till the succeeding generation. Suffer to perish at your feet the murmurs of vice and imposture: you are the scourge of all the abutes which torment *polished nations*; and the men perverted by *factitious arts*, who, for *partial and personal* enjoyments have renounced the *grandeur of human nature*, cannot comprehend you.

The hail and thunder which an angry sky discharges upon the earth, were less detrimental to the property of our fields, than those numerous *covers* where the plunderers of the harvest found shelter, and from whence they scattered themselves over the living sources of our existence. The murderous chace had constructed these *strong holds* to conceal and maintain the numerous

numerous enemies of the poor husbandman.— They attacked in the seed, in the blade, in the ear, in the sheaf, all the hopes, and all the products of a laborious year. It was unlawful to stop the inroads of the hare, the rabbit, the pigeon, the partridge, the pheasant, the stag, the doe, and the bear. How delightfully the sound strikes my ear ! I hear the pealing strokes, which, like the fire of a rampart, mowe them down. They fall ; my enemies fall, and the joyful shouts, re-echoed from every side, announce afar, that the reign of justice is come. The destroyers fly ; but they in vain seek the *covers*, which, now opened and cleared away, present not a single vestige ; for the expiatory plough must purify the soil, must sanctify the long-lost ground, and obliterate, if possible, the remembrance of such inveterate, such cruel injuries.

This decree of yours, gentlemen, thus becomes an *act* of eternal beneficence, which will operate upon future ages. The destruction of the *game*, and of the office of *rangers*, will alone augment the produce of the arable lands nearly 300 millions*, and will almost double the amount of the general territorial produce. This

* Upwards of 13 millions, sterling.

calculation, which makes you smile with joy, will not appear *excessive*, to those who have had an opportunity of examining the prodigious ravages which *domesticated animals* committed in copses, plantations of all kinds, and vine-yards. The haughty rural proprietors will, themselves, reap the greatest advantages from this new order of things. They will find their revenues more than doubled, instead of enjoying, exclusively, the sad privilege of killing a few hares or partridges.

Will not this compensation be infinitely more advantagous to them? Although you had enacted only this single decree, gentlemen, the *national assembly* would have deserved the homage of all my children, and consequently, of all those who live, and are to live by their labour; for the happy destruction of game, in spite of princes, who stupidly and inhumanly trampled, with their dogs and horses, upon the sown fields, will, henceforth, permit the *extension of meadows*. *Cattle* may every where be bred, and consequently the importation of foreign hides, wool, and tallow, avoided. The marshes, which at present are lost to every useful purpose, will, when drained, restore to me more than 140 thousand acres, and will no longer spread far around them infection and death. And what implements

implements do my children require, with which to perform such great achievements ? A plough-share, a mattock, a bill, a net, a sheep-skin to cover the loins, and a dart to pierce the head of the boar ; with these instruments, the peasant possesses the four primitive and necessary arts which procure subsistence for the human race. The vegetable kingdom will be extended, and become of immense value, when the genius of man shall be duly attentive to it ; but alas ! the genius of man wandered long in false paths before its entry into the road of felicity. In a little time, each person, passionately fond of his own inheritance, will devote himself to cultivate, to embellish it, and the unproductive classes of society will sink into disrepute. All my children will soon be convinced, that the indifferent lands are much oftener so through the fault of the cultivator, than of nature.

But I must still sigh when I behold, on the one side, *property without labour*, and on the other, *labour without property* : it is full time that a renovated people bestow property upon all those who shall claim it by their toil.

Extend your blessings, gentlemen ; let the right of *passage* be abolished, and every person be free to *enclose* his property ; enjoin *the division of commons*, that monstrous part of the Gothic

thic edifice constructed by *feudality*. Permit the cultivation of *tobacco*; let *bee-hives* be protected from seizure. And, would you establish the epoch of an univesal festival in the kingdom, declare boldly *the abolition of the rights of aids*. Do directly the contrary of what *despotism* has done, by the assistances of its cruel *intendants*, *subdelegates*, *commissaries*, and *officers of the court*. By this single act you will augment the territorial riches. But, with the same blow, destroy the *English gardens*, by *imposts*, and, I repeat it, be *inexorable* on that head; for if this fatal and absurd taste were still to prevail, all France would be converted into *English gardens*. This rage has done more *harm* to my *soil* than three hostile armies could have occasioned.

The *new code of beneficence*, of *justice*, and of *reason*, digested by your care, will extend cultivation, and introduce into every part an enlightened practice; because the wretched *routine* of the inhabitants of the country will disappear with their bondage. Yes, new men, regenerated by liberty, will have *new conceptions*; they will learn to reflect, and to seek around them for perfection; they will adopt without difficulty useful processes, new experiments, and fitter instruments, those instruments which have lately given man a third, a fourth, a fifth arm; these

These arms will give a greater scope to the art of raising food. The art which stands pre-eminent, will form the most serious study, the principal occupation of man, restored to his primitive employment as to his first home ; for the social virtues depend on the means of subsistence. Vices and crimes will fly, be assured, gentlemen, before the sources of plenty : every vice springs not from *ignorance*, but from *penury*.

From penury ! There is no soil ungrateful to the ingenious cultivator ; for nature seconds every good intention, every commendable labour in proportion to the *attempts*. The efforts to procure the smallest prosperity are never *vain*. Ignorance and indolence alone, will henceforward complain of bad lands. Civilization advances with my darling friends, *Oliver de Serre*, *du Hamel*, *Rozier*, and *Parmentier*. New Tripolimyses, they have aided legislation, by making alimentary treasures to grow on lands devoted lately to sterility. By following their instructions, man will no longer have to contend with *necessity*, as the *savage* with the wild beasts in the desert ; because he will be better skilled in cultivating *vegetable nutriments*. Prolific nature has diversified them for his use ; within a short space, they have grown with peculiar complaisance. My beloved philosophers, attentive

tive to every enquiry on esculent plants, will, by degrees, destroy the race of males and females in a state of celibacy ; for, as a politician has well observed, *in all places where two beings can live conveniently, the marriage state is readily embraced* : and by attending to the new lessons of my darlings, of my favourite society,* whose every effort tends to propagate discoveries with which it instantly gratifies the human race, the *clothing*, and even the *feeding* of free men, will soon be as certain as the *happy revolution* which secures to them their rights. A solid and country diet will contribute to the vigor and the independant character of those who ought now to *handle equally the sword and the plough-share*. The *festivals* of corruption will be abandoned ; and on every side will be extended the cultivation of those *good and new roots* which promise such immense utility.

May I unbosom to you, Gentlemen, one of my keenest disquiets ? My good, my faithful companion, the ox, inseparable from Ceres of yore, and destined by nature to the yoke, labours not my furrows as formerly. His pace was slow and heavy, I grant ; yet I lament that he has given place to the *plough-horse*, though the

* That of agriculture.

poetical Buffon has said, that the latter is the *noblest conquest which man has made*. I look upon the horse as the eater of man's daily bread; this proud animal has usurped my widest domains; his impolitic and vast consumption makes havoc on all sides upon corn and the leguminous productions. The consumption of a horse requires near six acres of ground; he destroys, in oats and hay, the half of my crops. The brute occupies more of my territory than man: yes, the paltriest jade is more plentifully fed than my most assiduous laborer. But my ox is never attacked by any of the distempers to which the horse is subject; he makes more dung, and it is of a better quality.

If anciently the hog was sacrificed to the yellow Ceres, on account of the waste it committed among the fruits of the earth, I do not hesitate to name the horse as my most formidable adversary; and this reproach has become the more founded since he has been employed in the carnage of war. What this animal costs the human species really exceeds calculation. My ox is my true companion: even cows are proper for tilling light ground; they may be coupled to the yoke, and made to dress, at least, the fields of rye, of pease, and of Barley, till they be trained to more useful labor.

There

There is another subject of complaint and grief which I cannot conceal from you, Gentlemen: the vine, which has been forced in grounds unsuitable to it, provokes nature, who avenges her rights by giving a bad and unwholesome wine. The soil which has been crossed yields only the shadow of that liquor; bastard vines disgrace the countries which they cover. These countries have lost the local benefits of nature; and these vineyards, exposed to ungenial winds, and deprived of the vivifying aspect of the sun, produce a pernicious wine, which may be termed the poison of the national strength: this is a terrible scourge to the country; the rotten grape, which has possessed itself of excellent corn-lands, flows into taverns, by far too numerous, and foments boisterous passions and brutal orgies. The landlord, in addition, adulterates the wretched liquor, and increases its treacherous abundance. The village-folks become inflamed with an intoxication, which murders the precious days of the week, and introduces strife into their huts. It is this accursed liquor that renders half the village beggars, enlarges the hospitals, and transforms the houses where pledges are received into a monstrous frippery. Oh! assist me, legislators, to save the state, to save populating families from the

the *devastation of wine*, from the commerce of bad wine, which the old and cruel government favored so much, only to augment the revenue.

Require not wine but from the soil which nature destines to produce it. What friendly hand will tear up the languishing vines from the innumerable banks exposed to the north? They only ruin the vine-dresser, always abused and always poor, notwithstanding his reiterated struggles. Who will restore these banks, these plains, to the innocent and nourishing grain which is preserved as a present never poisoned with remorse? The plough, the plough! How many thousand acres allotted to unprofitable and sterl vines may be brought again to yield abundant crops; then will those inveterate evils disappear, which false agricultural plans have occasioned. He who shall in preference drive the *ox* which *labors*, will more easily obtain the *horse* which *carries*, and the *sheep* which *clothes*, and, as a necessary consequence, the *hen* for the *rustic pot*. Lastly, a *gardener* with his spade will always be dearer and more precious to me than a *vine-dresser*; and I swear it by my *artificial meadows*.

Your laws, Gentlemen, and the labours of my good and useful children, begin already to draw into the country a multitude of people hitherto

thereto wandering in towns, perplexed, unoccupied, or engaged about glittering trifles. They will perceive still better the void, when the small *lots of territorial property* shall have introduced a mild emulation for the easy labors, which shall be as glorious as profitable. They will feel that the luxury of cities always leaves at the bottom of the heart desires unsatisfied, and a thirst which deceives. Man acted capriciously when he deserted me and my peaceful dwellings, to lose himself in the false charms of the fantastic arts to run after spectacles. He will never behold one fairer than mine; never will he taste more exalted joys than, when, in the country, in a residence of peace, enlivened by a brilliant sun, he shall obtain, with a few instructions, and a very small stock, his food and his happiness: then he will have a livelier sentiment of his independance; and, to sum up all, he will not really embrace civil and political liberty, till he shall have found, in himself, and by the labour of his own hands, the resources of his subsistence and of his repose.

Small possessions are my delight, my strength, and my glory: it is here that the vegetable kingdom flourishes, and becomes immensely rich; it is here that a multitude of little experiments are made which add to my treasures; it

it is here that each person, fond of his inheritance, is forward to improve and embellish it ; and it is here that indifferent lands, which are most frequently so through the fault of the cultivator, evince that the genius of man can change and transform nature at its will. In the fields of the yeomanry, we shall never see the pernicious bramble, bristling the hardened soil, strike root under the limestone rock, and supply every where a cover for the rabbit, which devours all the neighbouring vegetation. We shall soon behold the difference between land cultivated for one's self, and land cultivated for others.

What pride can be more honest than to be able to say every day ; *I have created the ornaments of my table, the food of my family, and the tranquillity of my roof?* He who thinks and acts thus, is never the slave of the powerful, the accomplice of their licentiousness, nor the hired assassin of his brethren : he is greater than all the *laced and embroidered valets of courts.* He has obeyed the admirable lesson of Horace, *mens conscientia recti in corpore sano.* If he has *parchments*, he may burn them, and powerful *with me*, and *through me*, may renounce for ever all those exclusive *privileges*, the remains of barbarity, an ancient chaos, a barren glory, not worth

the free clearing of lands, that is, the liberty granted to property as well as to men, and which, by the natural concord of all the social laws, is about to produce many advantages hitherto unknown. *Leisure*, the mother of indolence, and *despotism* and *tyranny*, opposed it; but for such great and important innovations, ought we not to rid ourselves of a few genealogical chimeras and worm-eaten papers?

Thus, your decrees, Gentlemen, are about to create a new and precious posterity of industrious cultivators, searchers, and gentle violators of the chaste sanctuary of nature. These will come forward in place of those degraded and wretched beings who *scraped* continually on *paper*, on *cloth*, on *stone*, or on the *gates* of the great; who lived by *lareen imitations* of nature, instead of fertilizing her; who, working upon *surfaces* heaped up *coloured prints* or *cameos*; who, finally, knew how to *produce* nothing, wearing out a whole generation without having attempted the vegetation of a single plant. Yes! all the pitiful *artists* who *chisled*, who *embossed* metals, who *gilded* *ceilings*, who *set diamonds*, this army of workmen, in the pay of the disdainful grandees, will be employed to better purpose: they will henceforth *scrape* the *earth*, and it will reward more profitably their labours than did *marble*,

marble, cloth, metal, or rags reduced to paste. They will no longer be the *subjects* of luxury ; they will be my noble companions : to *procure* food, they will not wait till a person desires a *snuff-box* gilt with *three colours*, or the *portrait* of a *prostitute*, or the *boudoir* of his *lasciviousness*. The *artist*, till now wretched, metamorphosed into a *cultivator*, will be able to reply to him who would purchase his service in *crimes* or *meanness* ; *retire to your palace with your inauspicious projects, or your childish plans, for I have the roots of life.* Already, at the voice of liberty, a multitude of workmen have deserted the *shops* of *luxury*, and their arms, employed more usefully, have been restored to nobler labours, to their primitive destination.

Soon will the splendor of France accompany the ease of my new family, and of that which you shall have given me ; and the gold which was wasted on whimsical, ridiculous, useless, steril, and unreasonable works, will be appropriated to a new and productive labor, carried throughout my extended fields, through the whole of my domains, of those domains which are destined to nourish the real strength of the empire ; an immense territory, which all our kings have, in their turn, blasted, by covering it with *privileges*, with absurd and barbarous

laws, with distinctions calculated to ruin the common weal; monstrous abuses, which you have at length destroyed, and sacrificed on the altar of your country.

I shall no more, I hope, see a wan and sickly race of youths, instead of the bloom and vigor that should accompany that period of life; no more witness the faintness of watching and fasting, the distresses of languor, and the sighs of beggary; no more behold the unfortunate wretch, on whom nature has bestowed hands, tap at the barred door, and vainly crave a bit of bread. Henceforward, attached to a maternal earth, which will, from her bosom, supply his wants, he will learn that the common mother has never failed to recompence the slightest labor, and that the soil most despairs of may be cultivated, when managed with some activity and some intelligence; for it now belongs to idleness or ignorance to say, *this land is good for nothing.* Let the lazy indulge their sloth; they can never injure the man who applies, under the canopy of heaven, to a labor of an assured utility.

Rural attentions, verdant meads, trees planted, engrafted, and pruned by our hands; seed-time, harvest, vintage; the garden, the farm-yard: no, never will the pompous spectacles of cities

fill up all the days of the year like these labors by which the quickened earth smiles on its master, and gratifies him by a display of the multiplied productions, which, flattering his understanding, and a genuine pride, reward abundantly his annual toils. If, in the infancy of the world, at the sight of *acorns* and *beech-masts*, the joy of man broke forth in songs of gladness, and in dances round the *oaks* and the *beeches*; behold now fruits of every kind, which, having changed their flavour, and almost their form, strive, with emulation, to obtain the honour of passing through his hands. Hear the lowing of the herds, the matin song of the cock, the clucking of the hen, the cooing of the pigeon; this rural concert never tires, it blends itself with the silence of nature, it be- stows life and motion on the landscape; and, with redoubled pleasure, we behold the meadow enamelled with flowers, the yellow ears of corn, and the tree swelling and loaded with fruit.

The voice of my *good rectars*, of my friends, and best supporters, that voice, which among you has *already done me so much good*, will complete the destruction of those superstitious notions which still prevail: it will overcome the seduc- tion of routine; will silence rooted prejudices, derived from ignorance; will enforce a convic-

tion that nothing *arises from chance*, or *in consequence of an idle charm*; and will teach all to recognize, in the smallest, as well as in the greatest things, the solemn laws of the Creator, who has made the abundance and quality of the crops to depend wholly on the seasons, the local situation, and the daily attention of man. This instructive voice, founded on new reflection, and moreover confirmed by experience, will convince all my children that the ills which afflict their fields proceed only from their errors and their obstinacy; in short, that the *losses* which they suffer all spring from their *voluntary* blindness.

Our morals will regenerate together with the laws, because husbandmen perceive the value of the social virtues. They do more, they practise them; they seek not to corrupt, and are themselves not easily corrupted: economy and easy circumstances banish low and vile sentiments, and all the venal dispositions which augment the herd of slaves. Among them we never see *people* who betray the interest of their native land, nor does the *venal pen* justify acts against the nation, nor do we meet with those men of blood, who, like *dogs*, are let loose to worry each other.

My good rectors are not that privileged body,
lazy

lazy and turbulent, who, with scandalous manners, and insatiable avidity, caballed at the court, and did so much harm to *religion*, their *country*, and the *renown* of kings. Alas ! these haughty prelates * would have murdered even Christian morality, had not my friends, *the rectors*, laboured strenuously to edify, to counsel, and comfort my children.

The French had a *country*, you have given them, Gentlemen, a *home* ; all now renew their existence, and hail each other children of the same family. Alas ! my poor children, lately degraded by servitude, and hardly conscious of the title of man, imagined themselves placed in the state merely to wear the eternal yoke of the great. You have awakened them to the sentiment of liberty which they now inherit : a cruel *collector*, a ferocious or senseless *lord*, an arrogant *man of privilege* cannot, for a moment, deprive them of property, security, or liberty. Ministers will no longer dare to think and assert, that, to attach them to rural labor, it is requisite to snatch from them all comfort, in order that they may be constrained by wretchedness to continue their rough and daily toils : this

* They adored the golden calf, and murmured against Moses when he reduced it to powder.

blasphemy will never more escape from the mouths of pretended *statesmen*.

The law which abolishes a *bad government* is hurtful to my *enemies*, because it defeats their pride and avarice ; but the law of nature is plainly that of God : this law, which God has sent in pity to our *long sufferings*, will find as many defenders as such a noble cause deserves.

Persevere, Gentlemen, in spite of the calumnies of those whose inveterate oppressions you have attacked, and who will soon vanish from the earth. Persevere, in spite of the rage of wicked men, who, living by iniquities or absurdities, wished to continue them till the termination of their useless career. Public intelligences have displayed their lustre ; nature has lifted up her voice, the moral universe is roused, and old abominations have appeared in their true colours. Ruffians could not *murder human reason* ; they could not annihilate the holy majesty of nature. They regarded as a *dream* its laws, its power, its influence ; they took the unsuspecting slumber of a good nation for absolute insignificance. But this *good nation* has demanded the performance of the social compact, for it is essentially founded on common utility and reciprocal relation. There could be no association of wills, but for the advantage of each individual.

individual. The unanimity of virtue must finally establish a government worthy of the human race.

What can now stop, Gentlemen, the salutary and invincible tendency of nature, the pleasing idea of union, this glorious movement of concord, of fraternity, of mutual protection ; this progress of your holy laws which will be immortal, because you have displayed to each man the land, his industry, his courage, his dignity, his susceptibility of improvement, nature, and God : in sight of these great *bases* will vanish all the phantoms, the untoward accidents in the vast plan of social harmony.

The earth belongs to me, for without me it could not exist. You have perceived this important truth, Gentlemen, and you have received your meet reward. Your laws are become great, weighty, solemn, and, lastly, are calculated for the times ; your laws will be blessed, protected, and maintained by the present generation, and by generations to come. If the Eternal reigneth, and, in his resistless uncontrollable sovereignty, regardeth *all men as equals*, you have adopted his law, his living, inviolable, and sacred law : and I, who feed the *monarch* and the *shepherd*, assure you that you *have acted wisely*, and that

you

you have adhered to the *true principle* on which reposes the order of the universe.

On the day, when, surrounded by the mercenary satellites of despotism, you braved their swords, what was it that inspired this tranquil courage ? It was because you viewed the hopes of *twenty five millions* of men, and, warmed with this holy vision, you obtained the liberty of my children by an heroic oath. On that day, you preserved them both from the return of *the feudal system* of ancient oppressions, and of all the *calamities* which the *privileged orders* commanded and authorized. I swear in the name of all my labourers, that they shall visit this *tennis-play* by which France was completely saved ; by which the enemies of the constitution, and of husbandmen, were disconcerted in their infernal projects, so worthy their character ; and where the friendly genius of the human race watched over the destiny of the French empire.

Yes, I repeat it, all my children will visit annually this *tennis-play*, which will inform every generation that real force consists not in the murderous instruments which vomit death, but in the sacred character of *the law*, in courage, and in the tranquil firmness of patriotism. *Cannons, cases*
of

of bullets, two millions of cartouches, a marshal supreme executioner, twenty-seven general officers, chosen satellites, well paid domestic assassins, and foreign exterminators, brought to the gates of the capital its devastation, its pillage forming a part of the most *atrocious conspiracy* that history will record. This noble city of enlightened Europe, Paris, sacked ! The universe would have worn weeds of mourning through countless ages.— Considerable quantities of corn thrown into the river, to join famine to carnage. Lastly, all the concealed treasons, all the sanguinary projects, which rival, or rather surpass those of St. Bartholomew : all these were insufficient to *destroy* a nation, notwithstanding the foolish and abominable hopes entertained by despotism combined with aristocracy. And why had they dared to entertain it ? Thereby to preserve and conceal from the eyes of all, the famous *red book*, whose colour was the too faithful emblem of the blood with which it was daily bathed.— Immortal honour to the intrepid bravery of the Parisians who repelled despotism ! Since that day the nation has had a *king*, and no longer a *master*. The most glorious of constitutions will honour the courage of the worthiest of nations. What a lovely movement in the nature of things, and in the human mind !

And

And while this *red book*, which was so obstinately withheld from view, devoured the state, it was I, I can affirm it, who *incessantly* supplied fresh and fresh productions to feed the wretch, stript of his shilling, his last shilling dropt into *the tub of the Danaiks*. I strove to repair every disaster; I hastened to comfort my children, by perpetuating under their eyes the renovating wonders of the *Omnipotent*.

Alas! gentlemen, have I not groaned with them so long, as to entitle my complaints to be heard? Yes, it is the *coalition* of *aristocrats*, which, for these five and twenty years, has inflicted on me the harshest, and most unexpected blows; and when, by an *infernal compact*, these monsters, in a human form, spread famine in France, it was not my labourers that profited by the *dearness* of grain, but the engrossers, and the other *titled destroyers*. Their criminal profit bowed down with languor and dejection the poor man who had only his hands. The villainously *aristocratic* government of 1787 (I can give it no milder appellation) has ruined my children, and disgraced humanity, and this to enrich, not *commercial companies*, but a few *clusters of financiers*, with whom the worthless courtiers shared the *murderous* gains. Alas! the recollection is too bitter! *Dearth* and its innumerable

able calamities have always followed or accompanied the speculations of the *old government*.

It was time that the fabric should be overturned, *from the foundation*; Providence lent *her aid*. It will one day be said, that never a nation so long, so cruelly *oppressed*, so basely *betrayed*, so abominably *threatened*, was equally prudent in its force, or more moderate in its vengeance.— Three hundred thousand armed men forgot that their *destruction* was *sworn*, they pardoned with full power to punish. My good people! Your ferocious enemies were *surprized*, and yet not *touched*; but ever be generous. I stop short; my mild and calm occupations render *certain images* too painful.

Ancient as the universe, I waited patiently till the *rights* which I hold from *God and nature*, should be respected, that I might cease to be an oppressed and debased slave. Already *vigour* and courage revive with the sentiment of *liberty*; and quickly shall I give to the most covetuous, the secret of *converting earth into gold*; I shall render France *formidable* to the other powers, which have neither the same *position*, nor a similar *soil*; I shall invite the foreigner to settle in France: for as the *crown* and the *plough* evidently gain the most by the *constitution*,

that they form now, or will form, the indispensable bond of the political *fascis*.

The nation, Gentlemen, was saved by your rapid firmness, the blessings of future generations will recompence your heroic labours.—Fit your feet let every impotent and despised clanour expire. A great nation is never deceived. Receive here the testimony of my gratitude, the homage and thanks of the tenderest mother, who knows what you have done for the most numerous class of unfortunate men, for the useful and laborious class which fertilizes and embellishes the globe. The human race is poor; it has nothing to bestow, and you have turned your views towards it. But it speaks with my mouth, it blesses you, it will never forget *your names*; the names of the *firm renovators of France* will be consecrated for ever.—The poor human race which lives with me, which lives by me, and which I cannot forsake, presents to you its genuine, its feeling, its eternal love; and for me, I expect only two or three *legislatures*, like yours, to change France into a real paradise on earth.

Thus attests your tender and even grateful mother,

AGRICULTURE.

HISTORICAL DISCOURSE ON PHILIP II.

PHILIP II. is consumed to ashes ; two centuries have already elapsed ; and his fame must now be tried before the tribunal of ages. I purpose to delineate his terrible and superstitious despotism, to collect the features of that cruel physiognomy, which makes us shudder at their recital ; I wish to infuse others with that indignation which I myself feel. Conscience dictates the conduct of the writer ; and the vulgar, insensible to the great calamities which have oppressed humanity, or retaining too faint remembrance of them, cannot imagine what moves us to strike in their tombs those dreadful enemies of mankind.

The avenging pen of the writer should blast the wicked kings ; for thus sit the good honoured. All will pass in their turn under the faithful graver, which shall proclaim to posterity their crimes, or their commendable qualities. The smallest traits of their character will be brought to full light ; and whatever veil may now conceal them, they will be delivered over to the judgment of generations to come.

Since the days of Tiberius, never was a more inflexible, or more cruel tyrant seated on a throne ;

throne ; it was a lake of blood (the picture is not overcharged) on which he floated the vessel of the Romish church. Leagued with the inquisition, he protected its fury in Flanders, and in Spain, and wished to extend its horrid powers to America. Cruel by character and by principle, never did clemency and piety find a way to his heart. He associated himself to two men of dispositions similar to his own ; Cardinal Granvelle and the Duke of Alva : he entrusted to them his whole authority, because these ministers were stern and implacable, like himself.

He wished to join to his power, already so terrible, a religious government, because it holds men in complete subjection. As God rules the universe, religious despotism pretends to enthrall the political world : every rebel is a heretic, and every heretic is treated like a rebel. The infidel is a traitor to the throne. Religious monarchy is, therefore, most dangerous of all ; and this it was which Philip II. was desirous to establish*. No despotism on earth is loftier, or
more

* By a sentence of the inquisition in Spain, all the people of the Low Countries were declared apostates, and consequently guilty of high treason. The counts Egmont and Horn were executed. The former had obtained the victories of St. Quentin, and of Gravelines. Phillip II. aspiring to the crown of Portugal, prevented the Cardinal Henry, grand uncle of the deceased king, from marry-

more ruinous. Besides, this monstrous form of government lays claim to peculiar wisdom and virtue.

For some centuries, the ecclesiastical government had adopted, as its model, the ancient form of the Roman empire. These ideas, supported by all the show and parade of religion, had externally the most commanding aspect; they totally subdued men's minds, and established an uniformity of worship. There was but one step to supreme law. Many princes, therefore, wished to unite the state and church, that, by this expedient, they might enjoy the most extensive power. Philip II, surpassing in pride his predecessors and cotemporaries, admitted the pope's infallibility, only to arrogate in his turn the same prerogative, and to command with the cross as well as with the sword. When his interest was concerned, none durst dispute or oppose him: if he took the *crucifix* in his hand, the hardiest shook with fear. The most intolerant pontiff spoke by the mouth of the most unfeeling monarch.

ing; and managed matters so well at the court of Rome, that the dispensation never came. After the death of the cardinal, Philip II. took possession of that crown without striking a blow. This obstinate persecutor of consciences, renewed the Roman proscriptions, and set a price on illustrious heads.

Thence arose a spirit of persecution, which changed into political fanaticism. It at once seized and corrupted every part of the government, which was reduced to the cruel necessity of subjecting all, and sacrificing all to religious ideas. Its chief aim was to drive away every man who thought for himself, and to blast and load with suspicions whoever breathed the spirit of enquiry. How happens it that so many evils have flowed from a religion, whose principle is universal charity !

This shameful despotism corrupted every branch of the legislation, and rendered it at once atrocious and prying. The religious forms, like a troublesome etiquette, by their perpetual restraints bred hypocrisy the source of so many vices : the cruellest and most unreasonable prejudices augmented, in an inverse ratio to the decline of knowledge and liberty. Such was the deplorable lot of Spain ; fanaticism reared its structures, without molestation, in the vast plains of ignorance ; the people were degraded to brutes. Yet authority gained not the ascendancy which it expected : men, under this double yoke, commonly pass from a blind submission to a disobedience equally short-sighted. Philip III. was obliged to declare the united provinces free and independent : he bound himself

self not to disturb their commerce in India or America.

The monarch whom I pourtray, was king of Spain, of the Two Sicilies, of the Low Countries ; master of Tunis, of Oran, of the Canaries, and of some of the Cape de Verd islands ; of the Phillipines, of the isles of Sonda, and of a part of the Moluccas ; of the empires of Mexico and of Peru, of New Spain, of Chili, and of almost all the islands between the continents of Europe and America. God of the universe, what an immense power was accumulated in the hands of one man, who deserved not the name !

Every thing conspired to raise this monarch, above all those to whom heaven has committed the government of the earth. He might have directed his power to true glory ; but of this he had not the least conception. During the space of the forty-two years during which he plotted in his cabinet the enslaving of Europe, he gave not a single day to the felicity of the world.— Always crafty, always cruel, always superstitious, he never let slip any occasion of exercising a vexatious severity, or a barbarous punishment.

He meditated the conquest of England, as if he held in abhorrence whatever was allied to freedom. Had not Drake burnt an hundred of his vessels in the port of Cadiz, had not a tem-

pest dispersed the formidable armament, styled the *invincible armada*, that precious republic would have been effaced from the earth *.

What would his power have been, if, already master of a part of Europe by inheritance, he had joined England, of which he had been king, to his own dominions? Elizabeth must have sunk under the formidable power of Spain. But fortunately, this extended monarchy was weakened, notwithstanding its great possessions, by the want of union among its different parts.—Conquest had separated the Catalonians, the Arragonese, the Portuguese, the Neapolitans, and the Flemings; the favours of the court were reserved for the inhabitants of Madrid; and the minister Olivarez justly observed, that the vast mass of Spanish provinces was only a fantastic body, held together in appearance, but not in reality. Thus the greatness of this na-

* This fleet was composed of an hundred and thirty vessels, mounting two thousand two hundred and ninety-four pieces of cannon, and equipped with nine thousand five hundred and fifty sailors, and thirty-three thousand eight hundred soldiers: two or three armies were ready to embark on the shortest notice. The destruction of this fleet was the epoch of the decline of Philip. He no longer wore that terrible majesty which inspired horror and admiration; all his projects became confined; and he seemed to cherish only one object, the extinction of the Calvinistic party in France. He drained the mines of the New World; but his riches were insufficient.

tion opposed the vivifying principle, which, in the order of polity, forms the organization of states. And of what in reality consists this multitude of subjects, who must be protected and defended, and who become useless to the confederacy, when they can no longer impart their force or industry to the general interest ? They may be compared to those ships which, by their prodigious bulk, are unfit to navigate the ocean, and which are laid up in the harbours as objects of curiosity or ostentation.

The mines of America seemed to ensure to Philip great riches, and yet his finances were often exhausted. He borrowed of the republic of Genoa, he demanded from the court of Rome certain grants of the ecclesiastical revenues, and, what is scarcely credible, at the siege of Amiens, his troops revolted for want of pay.

What exertions did not Philip II. make to depress Henry IV. ? What crafty efforts did he leave unattempted to prevent his reconciliation with the Holy See ? As brother-in-law of the three latest monarchs, his view was to obtain the crown for his daughter Isabella, the niece of France.

He was treated with little ceremony in France. Judged while alive, he was compared to Pharaoh, and was spoken of in these terms : *This*

the Saracens, stained with the blood of his son and his wife, wishes, like another Xerxes, to cover the sea with his ships ; but they have been dashed by heaven upon the rocks of Scotland and Ireland. This old king, already doating, and with one foot in the grave, whose states are all convulsed, and wait only the hour of his death to shake off the yoke.—His empire is like an inlaid sideboard, composed of pieces brought together, but which will fall asunder.

Notwithstanding these invectives, which harred so profusely ditched, the cabinet of Philip II. was constantly an object of terror. Master of the treasures of America and of Asia, he moved Europe at will ; and, on every occasion, obtained a preponderance. He fancied himself so sure of his projects, that he said, openly ; *my good city of Paris, my good city of Orleans.* If he had availed himself of his victory obtained at St. Quentin, he might have overturned the monarchy : but, in the history of battles, we may remark, that the conqueror, tired or astonished at his success, has hardly ever the address to pursue his fortune.

The house of Austria discovered a fixed ambition, and a spirit of haughty domination ; but it lost, in negociations and intrigues, the time which it should have employed in fighting and con-

conquering. Philip II. might have ruined France; but his political conduct ruined only the league; he had not the courage of an Edward, or of a Charles V. The conquest of Portugal, if it may deserve that name, was the only acquisition which the Spanish monarchy made during the reign of Philip II. It would have grown formidable, but for that multiplicity of affairs which incessantly led it to mingle religious fanaticism with the business of the empire. Finally, this splenetic and mischievous monarch did so much injury to France, as to excite a national antipathy against Spain, and against whatever bore the Spanish name. This resentment long subsisted in our southern provinces, where I have still seen traces of it, and where mere tradition had perpetuated the memory of public calamities. The pretensions of Spain, almost all founded on an insupportable and arrogant vanity, justly offended the national pride; since the precedence which Spain every where affected became troublesome and ridiculous.

Charles V. had exhibited to the world an extraordinary spectacle, in abandoning all at once the project of universal monarchy, in resigning his vast states, and in abdicating the crown in favour of his son whom he did not love. It

was a very remarkable event when this powerful monarch laid down his royal, military, and political functions, to sing psalms, and to perform the rigid tasks of the cloister.* What a thorough disgust must he have imbibed at those great occupations which elevate, warm, and fascinate the soul, that could induce him to adopt a mode of life which wears so few charms to other mortals ?

This ambitious man relinquished the supreme power with every outward appearance of indifference. He concluded by placing himself publicly in his coffin, and causing the funeral service to be chanted, as if he had been no more. Yet, at these pretended obsequies, he wanted that open and intrepid voice which should loudly publish the truth ; not that which consists in scandal or trifles, but that truth which instructs the present and the future, by revealing to the world the errors or political crimes of sovereigns, and by denouncing their fatal blunders ; that truth, in short, which should exhibit, in the most glaring colours, the rich ruffians who wear a sceptre and a crown, the princes who

* He repeated maxims which it had been better for him to have acted up to. *Men of quality, he used to say, plunder me, while men of letters instruct me, and merchants enrich me.*

allot no treasure to the melioration of their own vast domains, but squander it in devastating those of others.

Charles V. always acted contrarily to what he swore or promised ; for duplicity was the groundwork of his character. Of this astonishing abomination the real motive is still unknown ; but after having acted the farce of the coffin, he quickly repented. Scarcely was Philip II. recognized in the kingdom, than Charles V. was despised. Unknown by his former subjects, he lived amidst them as in a foreign country. The courtiers seeing that there was nothing to gain, paid him no more visits. He had reserved a certain sum to reward his servants : of this the ungrateful Philip II. delayed the payment. The old master of so many kingdoms had no money, and walked in a solitary cloister, with a breviary in his hand. Every Friday during Lent he inflicted discipline upon himself, in company with his fellow monks. How strange a spectacle did this emperor afford to the world !

Yet the act of his abdication had been solemn and even affecting. He affectionately embraced his son, and expressed himself thus : *You can repay my tenderness only by laboring for the happiness of your subjects ; may you have children*

who

who shall some day engage you to do for one of them what I now do for you !

Was the soul of Charles really superior to a throne, or was this merely the effect of a transient disgust ? Historians have indulged many conjectures, few of them satisfactory. No person before him had conceived the idea of assisting at his own obsequies. He caught cold in his leaden coffin, while funeral hymns were chanted, and died the same year, in consequence of this indisposition.

Charles V. had been intolerant ; that spirit of persecution which wars against natural intelligences, had rendered his disposition fatal to the universe. Trying in his retreat to make two clocks perfectly agree, he could not succeed, and this confession was extorted from him : *How then is it possible that two men can have the same creed ?* There are three points of authority, says a modern author, which God has never delegated to man ; the right of the disposal of consciences, the right of foreseeing future events, and the right of creating something out of nothing.

Philip II. in his domestic pride, inheriting these false ideas, wished to subject men to the uniformity of his belief. Such was the ground of

of his character, and the unshaken basis of his actions. Scarcely was he seated on the throne, when he had the chaplain and confessor of Charles V. his father, burned in effigy ; and he was within an ace of blaspheming the memory of that emperor, by declaring him a heretic. Did this strange superstition reside in his heart, or in the Spanish character ?

The powerful Charles V. had wished to accomplish the designs of Maximilian and Ferdinand, and to complete that splendid success which should embrace all Europe ; but his ambition, too unbounded, was not supported by a genius sufficiently martial. He did not profit by his long prosperity* ; his wars were too abrupt ; he ruined the fortune which he inherited, by committing the political blunder of

* The success of his arms were nevertheless extraordinary. Fortune gave him two empires in the New World ; he obtained, by his generals, forty glorious victories ; he concluded advantageously seventy wars, silenced the dangerous revolts in Germany, ruined the league of *Sacalede*, and twice obliged Soliman to raise the siege of Vienna, invested by three hundred thousand Turks ; he pursued the pirates on all the seas which washed his states ; he defied, in his first voyage to Africa, the famous Barbarossa, whose army consisted of sixteen thousand horse, and two hundred thousand foot. He owed a part of his conquests to his promptness ; since he often posted from one extremity of a kingdom to the other, to quell the beginning of a sedition. The revolts in Germany were what he most dreaded, and was most forward to appease.

regarding

regarding the subjection of the empire as the first step that would lead him to universal monarchy. This error divided his power; and his precipitation to have his brother elected king of the Romans, was, in the issue, perhaps, the principal cause of the salvation of Europe. The empire of Germany was subjected to a lighter yoke.

Fortunately Charles V. could not dispose of the empire as of his hereditary states. He had left all his power in the hands of his son; and already repented his having procured for his brother the title of king of the Romans, after trying, by the most insidious offers, to induce him to renounce it. He strove to gain over a Diet; but the Germanic body, ever watchful of its liberty, dreaded an over powerful chief, who might have become dangerous. Charles V. unable to subdue the opposition of his brother, was obliged reluctantly to leave the empire to Ferdinand.

The house of Austria was then on the point of invading Europe. Richelieu foresaw the extent of the impending danger; and in this view he may be regarded as the benefactor of many European nations. Universal monarchy was the dream of Philip II. as it had been of Charles V. but the situation of the states of the latter

latter was much more favourable to his designs. The house of Austria was then in the zenith of its grandeur, in the summit of its power: its old subjects were docile and inured to war; the Spaniards were enriched by the treasures of the New World; the Low Countries threatened equally France and the empire; and religion, fostering violent contentions, supplied him by turns with the pretexts of inflaming states, of dividing princes, or of uniting them.

The Spanish monarchy lost much of its credit under Philip II. because he exhausted his country to preserve the possessions of the house of Burgundy, and held not in play that general and simple spring, which, in the reign of his father, had given the same motion to all this mighty force. The policy of Philip I. was artful, but indolent. This *devil of the south*, so he was called, was less eager to profit by the dissensions and troubles he kindled throughout Europe, than to bring them about. Sensible of the power of the popes and of religion, he knew how to convert it to his own purpose, by pretending a boundless zeal for the Catholic faith. By this conduct he became the prop and the avenger of all the Catholic countries: he forced the pope to delegate to him his immense power; he signed as fully by persuasion as by the force of arms.

arms. How could his enemies withstand this double ascendancy ?

These motives will explain his superstitious and continual rage. But the tardiness of his operations became fortunately as pernicious as imprudence itself ; and but for the misconduct of her enemies, Spain would have lost more than she really did. Notwithstanding this show of power, was not Philip II. obliged to sue for peace from Henry IV. ? Did he not lose Tunis and the fortress of Goulette ? A part of the Low Countries shook off his yoke ; and England was menaced by him in vain.

He bestowed, at the same time, on trifling objects, a season which the most favourable circumstances called for in vain, to give to his fortune a full scope. An ecclesiastical broil occupied him as seriously as the affairs of the league ; he took as lively an interest in the regulations of a chapter of monks, as in the success of a battle. Always pliant to the will of the popes,*

* In that age, a sovereign pontiff, at the head of an army, made an alliance with the Most Christian King against the Most Catholic King : cardinals were seen wearing a broad-sword, and brandishing a lance ; and Cardinal Caraffa was publicly censured for not understanding tactics and military evolutions. Philip II. was entirely subdued by the opinions of the times. He signed a shameful treaty of peace with Paul IV. and humbled himself so far as to ask pardon of his holiness. The pope boasted every moment of hum-

he manifested, upon their representations, so violent an hatred to those of the reformed establishment, that he sacrificed his tranquillity and reputation to the desire of exterminating them. He would second even his enemies if they shewed any animosity against the protestants. And lastly, he rejoiced at the successes of a rival nation, when they were gained over those of the reformed persuasion.

He was the first to believe, or at least he wished it to be thought so, in the pope's infallibility. His policy, undoubtedly, was to turn that sacred opinion against his enemies, and not to allow it to meet with contradiction.

The superiority of the house of Austria was not wholly due to Charles V ; he succeeded two princes, who had prepared for him a glorious

ling the pride of Spain : he opposed the coronation of Ferdinand, brother of Philip, elected king of the Romans ; he circulated a libel against him, under the name of manifesto ; he persecuted, and caused to be imprisoned, the Colomnesi, at all times subjected to the House of Austria ; lastly, this haughty pope claimed the right of treading kings and emperors under his feet. Under Pius V. Philip II. shewed the same weakness. If the opinion were to be constantly maintained, that the authority of the popes, which they exercise, by divine right, upon things sacred, could be extended over royal crowns, all kingdoms would, at this day, be subject to the tiara ; we should see kings excommunicated, and their states conferred on the instruments of this strange domination.

reign,

reign, Maximilian and Ferdinand. The first, profound in his views, had a genius perpetually at work ; he divided those whom he could not subdue. The second, supple, bold and crafty, held nothing sacred that was within his reach. These sovereigns formed the project of universal monarchy, and left it as an inheritance to their descendants. This idea flattered the ambition of Charles V. who surprised Europe in a moment of general commotion. Europe would have lost her liberty, had Francis I.* and France allowed

* The rivalry which subsisted between Francis I. and Charles V. forms a curious epoch in history. These two princes, opposed to one another, had totally different characters, a diversity which was even visible in their countenances. Francis I. had a tall and square person, a broad forehead, an aquiline nose, and a martial air ; he was of easy access, and fluent in conversation. Charles V. had light hair, a long visage, a wan complexion, his upper lip very thick and projecting ; He was fond of retirement, and spoke little ; he pressed others to begin a conversation, but never opened one himself ; he could not bear to be looked steadfastly upon ; for when he wished to gratify the curiosity of his grandfather, Maximilian I, who asked him for his portrait, it was found necessary to place him between the points of four swords, that he might give the painter time to catch his lineaments. Francis I. delighted in splendid actions, in flattering encomiums, and in sensual enjoyments. He emptied his coffers in pursuit of pleasure, without being afterwards at much trouble to fill them again. Unskilful in contriving stratagems, like a redoubted knight, he expected all from his courage, Charles V. serious and collected, veiled an immoderate ambition, and used not force, till after having employed cunning and artifice.

allowed themselves to have been terrified and drawn into the snare. The bravour of our ancestors established the balance, and saved the liberties of Europe.

It is very probable, that Philip II. had long hoped to unite France with Spain, since he endeavoured to subdue the royal party*. But the

He hated expence, and was very reserved in his pleasures, avoiding all scandal, and carefully concealing his favourite mistresses, Joan of Austria, so that his natural son could never distinguish which of the two ladies was his mother.

Francis I. risked his person in battle. Charles V. made war chiefly by his generals, his prosperity was never interrupted, but by the check he received at Mentz, through the skill of the duke of Guise. It has been said, that his mortification at that event, was the cause of his abdication. Francis I. hurried away by blind courage, was carried prisoner to Madrid, and lost not the respect due to his rank. These two rivals, who held Europe in suspence, appeared with signal advantage in history ; but after fully examining these two great personages, who form such a contrast, we are disposed to prefer Francis I., because his character evinced a frankness, and a generosity which would have prevented him from abusing his victory, had he gained every advantage over his adversary. Without this martial king, the fortune of Charles V. might have reached an extent, alarming to those who love to see the course of events defeat immoderate ambition, and crush the pride which aims at the overthrow of the barriers of national liberties.

* He sometimes believed he had a right to Brittany ; he asserted that, by the death of Henry III. the duchy of Brittany fell to the infanta his daughter, as heiress of her mother, the eldest daughter of Henry II. This title, according to him, ought to have transmitted the inheritance of the house of Valois.

moment the French acknowledged their lawful sovereign, France resumed her superiority, and was very useful to her neighbours. Henry IV. raised the hopes of the empire, and taught its princes to bend the pride of the emperors under the majesty of the Germanic laws.

If Cardinal Richelieu afterwards humbled this formidable house of Austria, it was because he inherited the genius, and the plans of Henry the Great.*

Richelieu became the soul of all Europe : through his influence, the celebrated Gustavus Adolphus terrified the emperor, and through him Spain trembled before France. His dexterous and bold policy erected the house of Bourbon on the ruins of that of Austria, and bestowed on it the authority which the latter had enjoyed in Europe. Europe was certainly a gainer by the change ; for, by ruining the greatness of the house of Austria, which aspired to

* Henry IV. wished to fit board, to the ambition and power of the house of Austria, both in Germany and in Italy. No enterprize was ever better concerted. Henry was forming a league with the elector of Brandenburg^h when he was assassinated. The project of a Christian republic ascribed to the same prince, was a beautiful dream. If this sublime idea was conceived in an age when knowledge was neither so great nor so diffused as at present, why has it not been realized ?

an unjust and immense domination, the power of France formed the shade to which many republics owe their birth, or their tranquility.

Let us confess, at the same time, that the profound policy of Richelieu had fascinated, in a manner, the eyes of Europe; since he had laboured to augment considerably the envied power of the French. To evince this, it is to be observed, that Europe recurred to her former system, when Louis XIV, giddy with his power, displayed a fastidious pride. Europe, filled with alarm, embraced the interests of her quondam enemies, to establish a balance, which, whether real or imaginary, was to establish the general safety.

The rapid conquests of Louis XIV had their source, therefore, in the emotion Richelieu had impressed; and when, at this day, we consider the unexpected preponderance given to the throne of Louis XIII; the happy depression of those grandees, enemies of the people, and of the king; the creation of the arts which we enjoy, and which seasonably allayed the factions; and his rare and surprising foresight on a multitude of subjects; we must regard him as the greatest statesman that France can yet boast. No other has possessed his genius.

It was a very interesting spectacle, and one

that exhibits the most glorious proof of the steady courage of the French nation, and of its extraordinary internal resources, when, after the delineation of the combats between the house of Austria and that of Bourbon, at the close of the disorders of our civil wars, when, at length, Philip II. was on the point of giving France to his daughter Isabella * : this kingdom was seen, hardly recovered from its wounds under Henry the Great, to humble, at once, its proud and jealous neighbours, and conclude the celebrated treaty of Vervins, which was the signal of the depression of the Spanish monarchy. Shall I say it ! Spain itself became the inheritance of the grandson of Louis XIV, and to the rights of birth, France added the glory of conquering that kingdom. Thus the proud house of Austria lost its ancient superiority, and lost it for ever. We rejoice at this fall, when we consider the disposition and policy of a Maximilian, of a Ferdinand, of a Charles V. and of a Philip II.— When we reflect that, if this last monarch had

* The bull of Sixtus V. against the Bourbons, derived its force from the fanatical opinions of the age. The terms in which it is conceived must be deemed curious in the times in which we live. Sixtus V. says : *This pontifical authority is infinitely superior to all the powers on earth ; it thrusts the masters of the world from their thrones ; and casts them into the bottomless pit as the ministers of Satan, &c.*

listened to the pretensions of Savoy, of Lorraine, and of the Guises, he might, perhaps, have wrested victory from our Henry IV. and really begun to reign over France, whose strength would have been exhausted, we view with dismay, the haughty ambition of the house of Austria, which might have operated the destruction of our national liberties.

The sixteenth century was the most marked by great crimes, and great events. What sovereigns, great God, then sat on thrones ! Catherine of Medicis, Charles IX. Henry III. Philip II. Christian II. Henry VIII. not to reckon the artful and cruel popes ! It is our felicity to live in times when kings are mild, and spare the blood of men.

Protestantism was the barrier which the Germanic circles opposed to the overgrown power of Charles V. A theological dispute was converted into a rampart against tyranny. Under this point of view alone, we can conceive how it was, that a prince should command the inquisition to exterminate all who did not believe in *transubstantiation*. But, at the same time, was it possible that a people, so cruelly tormented for this dogma, should not put into action all their strength ? The reformers multiplied under the lashes of persecution.

Elizabeth was the author of this independance ; and this is the glorious title which she claims from posterity. That princess, emulous of true fame, tolerating and firm, followed the tract of honour, and procured, by her wise administration, a great influence to England.

Holland and Zealand, discontented with the government of Philip II. having made a tender of their allegiance to Elizabeth, she replied to their ambassadors, that it would suit neither her honour, nor her justice to usurp another's rights : she added, that Holland was to blame for exciting so much disturbance about the *mass*. But after holding this language, she acted like a sovereign ; she saw that the religious malcontents in Europe would become the partizans of that liberty, which Rome and the house of Austria strove to annihilate.

It is alledged that Elizabeth violated the laws of nations, by affording succours to the Hollanders ; that she ought not to have intermeddled in the dispute ; that she had no right to create herself into a judge of the wrongs done by Philip II. to the Flemings. This is a sophism ; nor are states more insulted than individuals. Sound policy, the sacred laws of humanity require, that the injuries done to one nation should be perceived and felt by all the rest. The interest

of society at large, evidently demands, that the constitutive laws of a state shall not be violated with impunity ; society at large should interest itself in the premeditated and atrocious outrages of a blind or furious tyrant ; it is the general welfare that should preside over all the movements of political bodies : and such is the essential object of European society.

What, shall a whole nation calmly behold the blood of a neighbouring nation streaming under extravagant and barbarous caprices ! When human laws are violated, the primitive rights are then universally resumed. To assist an oppressed people, and prop its generous efforts : this is the powerful cry of nature ; a cry conformable to the principles of natural liberty, and reciprocally beneficial to all nations, since it embraces the interest of the whole people, in opposition to that of a few sovereigns.

The state which should take no concern in the heavy calamities of its neighbours, which should turn a deaf ear to their groans, or which should attend only to what hurts its own particular interests, would hazard the possibility of never claiming the mediation, or succour of a bordering power, that ancient and sacred right of the wretched ; the oppressors would reign eternal on earth, and violate, at ease, the privi-

leges of the social contract, by passing the barriers of the living laws.

I know that the despot, ever suspicious, will cry out rebellion, when the least sigh is heard : but every prince, every generous people, will fly to the assistance of a nation crushed under a yoke of iron, or distracted by anarchy ; they will dare to reclaim the rights of nature ; they will not suffer a violent sovereign, or a revolted people, to endanger the laws of public and private security. Political principles, viewed on a grand scale, are not confined to narrow points ; a contracted and deaf policy deceives, and assumes every stamp of insensibility ; the great interest of humanity, beheld in future ages, and in an immense compass, illuminates the genius, and never misleads.

These principles are happily consecrated in the history of Europe, by the example of Switzerland and of Holland. Henry IV. performed for the Helvetic cantons what Elizabeth had done for the United Provinces.

Yes ! it pleased God that the savage Philip II. should be chained by his neighbours ! If he abetted a powerful party in Paris to rend France, was it not lawful to rescue his unhappy subjects from the burning piles of the inquisition, and to repress that religious ferocity which armed those innumerable

innumerable executioners, whose carnage succeeded that of his soldiery? For the executioners went from town to town, at the command of the Duke of Alva, making the streets run with blood, and joining outrage to cruelty.

Philip II. having constituted himself the pope's *generalissimo*, obtained by this step the successive destruction of all the privileges which stood in his way, or which might cramp that despotism so dear to his soul: he established himself monarch over the church, and enjoyed, in reality, the terrible power of the Roman pontiffs. Pius V. of mean birth, acted in concert with Philip II. adopted his projects, promoted them, and appeared most obstinately bent on the destruction of the Protestants. The Spanish monarch had judged that Calvinism being the mode of worship the best suited to the constitution of free states, it was necessary to destroy root and branch, a reformation which could not amalgamate with monarchy, where the limit of power is equivocal, or at least undetermined.

Calvinism, it must be confessed, was introduced by men of obscure condition, always jealous of a luxury which they did not share, always enemies of the authority which bears heavier on them than on the rich. By the destruction of the despotism of Rome, they fancied they should

should obtain an entire independance. The Catholic faith appeared to them the active soul of tyranny : their fortune not permitting them to indulge in the pleasures or dissipation of opulence, they were angry with whatever bore the marks of magnificence. Hence they stript temples of their ornaments, and deprived religion of all its splendour.

The object of the reformers was to annihilate all distinction of ranks in society. Their austere deportment, their mystical jargon displeased the great. Rigid in the extreme, they regarded the most innocent recreations as crimes, and the smallest toleration of the rites of the Romish church as an abomination meriting punishment. The rich and absolute monarchs, surrounded by all the instruments of their power, naturally opposed these opinions which retrenched their authority and their enjoyments. Philip II. agreed to make every concession to those whom he termed rebels, the liberty of conscience excepted. *I will never grant it*, he exclaimed, *although I should risk my crown*. He looked upon this liberty of conscience, as the dissolution of the political principles he had adopted.

Thus, when the inquisition exterminated all who had the misfortune not to believe that God was bread, that God was wine, the object was not

not precisely to subdue men to that belief, but to establish a rigorous respect for the property and possessions of the ecclesiastics: mysteries were the true safe guard of their property held abusively; the ambition of the priests made it their deepest interest to confound the words *heresy* and *rebellion*.

Elizabeth, on her part, regarded the French as declared enemies. The court of France had had it in contemplation to raise Mary Stuart to the throne of England, and declared Elizabeth a bastard and usurper. Mezeray said openly; *that it was not the interest of France to suffer Elizabeth to possess herself of a crown which belonged to Mary Stuart.*

The princes of Lorraine having procured the marriage of their niece with the dauphin, afterwards king of France, by the name of Francis II. had an indecent farce acted at Paris, the subject of which was the *coronation of Elizabeth*. Her mother and she were there treated as actresses.

Elizabeth, who considered a divided as a lost authority, was utterly averse to bestow her hand on Philip II. Firm in her sentiments, can it be supposed, that she would have raised to the throne a prince, the son of the potent Charles V? Besides, Elizabeth could not espouse this monarch

march without a dispensation from Rome, which would have been an acknowledgement of the pope's authority. Every thing, therefore, favoured Calvinism.

But the Calvinists, by pillaging the goods of the ecclesiastics, provoked too keenly the anathemas of that order. The latter, seeing the barrier of opinions, till then respected, broken down, judged that their riches, resting on that firm basis, were about to fall before the rigid opinions of the reformers : France herself would have become entirely Protestants, but for the violent excesses which the reformers committed, so unmanageable were they, after the conference of Poissy. Their anti-political inflexibility, which the Protestants may now deeply regret, bereaved their doctrine of the glory of invading a whole kingdom. And what successes would have followed so considerable an advantage !

During these contests, morality was buried in a frightful chaos. Scholastic theology, that many headed monster, reigned alone, to involve all in darkness. It dictated those irrefragable maxims which terrify and confound human reason. It kindled fires in this world, and extended the flames of the inquisition even into eternity ; no comforting light shone on the rights of man, civil or political ; every thing was stampt, even

even in history and literature, by the gloomy disposition of the schools ; every thing was subordinate to a spirit of fury, of intolerance, and of theological jargon, which spread on all sides. Fanaticism, at length, loosened from her chains, stalked over Europe, her head wrapped in a cowl, her eyes bound with a fillet, and a torch blazing in her hand.

The liberty of thinking, the first prerogative of man, had not even a name ; the supremacy of the popes had begun to bring on this deplorable eclipse of human reason. The ambition and the ferocity of Philip II. contributed to thicken the darkness, and attempted to wrest from man his imprescriptible rights, and, with them, the memory of every duty, of all the virtues, and of the human intelligences.

While this terrible monarch, pretending to infallibility, after the example of the sovereign pontiff, was meditating by the force of arms and the sword of executioners, the destruction of all who bore the name of Protestant, he caused the assassination of the prince of Orange, whom he could not seduce from the interest of the Low Countries. The death of counts Egmont and Horn, had already been the signal of the fate of the eighteen lords, tried by a special commission. But can the history even of the Roman em-

perors, produce a recorded fact more completely odious than the proscription of Philip II. against the first Statholder of Holland? Can we read the following sentence without shuddering? *We promise, on the faith and word of a king, and as the minister of God, that if any person will be so generous as to rid the world of this pest, by delivering him to us, dead or alive, or by taking away his life, we shall bestow on him a reward of twenty thousand crowns: if he has perpetrated any crime, of whatsoever magnitude, we shall pardon it; if he is not noble, we shall confer on him nobility: we shall also forgive the crimes which his adherents may have committed, and will even ennoble them. Ennoble them! — And on his part, the savage Duke of Alva vied in barbarity with Philip II. he boasted, coolly, that he had caused eighteen thousand of his fellow-citizens to perish on the scaffold!*

The prince of Orange, after having escaped two conspiracies, was the victim of a fanatic native of Franche-Comté, who fancied himself inspired. On the news of the assassination, Philip II. said: *The blow ought to have been inflicted a dozen years ago; religion would have been a gainer by it.* The massacre of St. Bartholomew, that carnage unparalleled in the annals of the world, occasioned rejoicings at Madrid,

drid, while it filled every other court of Europe with grief and consternation.

Philip II. wished to enslave Flanders only to strip that province of its riches ; but *these beggars* (this was the appellation he *vouchsafed the* revolted Flemings) laid, by their courage, the foundations of a republic since become flourishing. They showed that nothing is impossible to a people firmly resolved either to be free, or to perish in the struggle. The inquisition, which crushed the innovators under its immediate jurisdiction, promoted Lutheranism at a distance ; and the hatred borne to the bishops, or rather to the iron rod of Philip II. hastened that revolution which astonished Europe.

What were the Hollanders about the middle of the sixteenth century ? Their sudden elevation is, perhaps, the most astonishing event in modern history. Sailors and fishermen, occupying a small marshy country, they contended with the sea, which seemed to threaten their destruction, and defended themselves against the best soldiers in Europe, whom Spain paid with the gold of Mexico and of Peru.

They must have appeared rash in conceiving the hope of resisting their formidable master, who marched against them his soldiery and his executioners. But an invincible perseverance supplied

supplied the want of real strength : they vigorously resisted Spain ; and, obliged to reckon only upon their own efforts, through the dint of cultivating the ocean, by an indefatigable commerce they seized the treasures and possessions of Spain, which was exhausted, notwithstanding the mines of America.

Could it have been imagined, at the origin of the contest, not only that Spain, become too feeble a match for them, should be constrained to acknowledge the independance of this handful of men, the objects of its scorn, but that Holland should also become its support, and that this state, emerged from the marshes of the ocean, should, in 1710, dispose, at will, of the throne of the Spaniards, its ancient tyrants ? *

Was ever a people seen to grow so rapidly, to rear, in the space of a century and a half, flourishing cities, to send ships from pole to pole,

* From Philip II. to Philip V. how astonishing was the fortune of this commonwealth, incapable for two hundred and fifty years before to maintain its inhabitants. It formed alliances with rich and flourishing nations more warlike than itself. It was necessary to surmount a thousand combined obstacles, and to observe a prudent conduct, to be able thus to figure amidst warlike powers. But that spirit of commerce which founded its existence, absorbing all other ideas, has at last turned against itself.

and to establish a footing in all parts of the world, especially in Oriental Asia ? *

What advantage did this despot, the most powerful prince in Europe, reap from so many cruelties, intrigues, and wars ? He ruined his own states ; and, after having drained the mines of America, left a debt amounting to *a hundred and forty millions of ducats*. A blind obstinacy involved him in a series of political blunders. Holland was a patrimony he held of his father ; he might have there reigned peaceably. He provoked that people ; he drove the Flemings to revolt. What an humiliation to this haughty monarch ! After having formed the extravagant project of subjugating France and England, after having believed that his political machinations would defeat the science of the chiefs of the league, after having aided the revolters in neigh-

* If, instead of the solid advantages of commerce, the Hollanders had been ambitious for the glory of conquests, they might easily, with their naval armaments, have dismayed the despots of India, of China, and of Japan. Have they not ports for equipment and reception extremely favorable to a victorious expedition ; such as the Cape, the isles of Java, Malaca, Ceylon, the Malaccas, &c. ? With these stations, refreshing at the Cape of Good Hope, and at Batavia, they might maintain a war on the coasts of Asia, from Surate to Canton, and from China to Jedos, the capital of Japan, cities which a few bomb-gallies could reduce to ashes. They have not done this ; they have acted more wisely ; they have acquired riches by trading with these opulent countries.

bouring kingdoms, and fomented every division, he had the grief to see the states of Brabant, of Flanders, of Zealand, of Holland, and of Friezeland, invite a foreign yoke ; he saw *these beggars* who had the ironical appellation of a *wooden porringer*, set him at defiance ; he lost a country richer at present than all the Spanish dominions.* Thus the violation of the laws conduced not to his interest ; and all those persecutions, to force the conscience of his subjects, only revolted the moral instinct which repels outrages and unjust or vexatious edicts.

Illustrious example ! The States-General, assembled at the Hague, declared solemnly, that

* The inhabitants of the Netherlands labored a long time to league with England ; but Elizabeth, always cautious, did not consent to that alliance till she saw the United Provinces had proceeded too far ever to accept again the Spanish yoke. The Spaniards who remained in the Netherlands prepared all the miseries that afflicted that country for the space of twenty years. The same principle of persecution which had drained Spain of men and money, and which kindled penal fires in all the towns of the Netherlands, dictated soon after the mad edict which commanded, under pain of death, all the Moors to leave the kingdom in thirty days : the inquisitors advised this measure. This step expelled a million of inhabitants, the most useful through their industry and labor. The atrocious deeds of fanaticism would appear incredible, did not history bear witness to them. Another act of barbarity nearer our age, an age too celebrated by poets, ought to show us that the delirium of fanaticism is not, perhaps, wholly extinguished, or rather, that it is reproduced in a thousand different forms.

Philip II. having violated the privileges of the people, had forfeited the sovereignty. Their resolve implied these maxims : that the people are not created for the prince, but the prince appointed by God for the people ; that there cannot be a prince without the people, and yet the people may subsist without a prince ; that a tyrant breaks the bonds of obedience.

His ambition, therefore, gained nothing by disturbing Europe : sterility and wretchedness marked a country where he vainly squandered enormous riches, to compel the sectaries to receive the yoke of the Romish church.

But while we detest his despotism and his ferocity, let us do justice to the talents which he possessed : he had the dextrous policy to maintain the internal tranquillity of Spain ; he had the penetration to choose proper ministers—he even formed them himself. Was it necessary that the republic of Genoa should preserve his duchy of Milan ? He bound these republicans to his interest by golden chains, and contrived to bring about marriages between the nobility of Castille, Catalonia, Arragon, Navarre, Valencia, and Italy.

It must also be admitted that he possessed a profound knowledge of mankind. He had the talent of studying carefully the character of his

ministers before he set them at work ; his attention was indefatigable on this point, the one most interesting to a monarch who could not view so many objects but with the eye of another. To be able to divine the capacity of the men one employs, merits applause : this perception is the first of talents, especially in a prince ; by it, he knows how to reign, and reigns effectually ; and seldom is he deceived, when thus on his guard. But as Philip's tyrannical disposition was known, his ministers acted up to his principles, and wished to resemble him. That inflexible firmness rarely suits political affairs ; and he too easily complied with the counsels of the duke of Alva, who, under a calm aspect, concealed a cruel soul. He paid his facility by the loss of the seven United Provinces.

The insatiable avidity of the duke of Alva cannot be delineated in too strong colours. He trampled under foot every law, human and divine, and left every where the bloody traces of his fatal power.

Attention and vigilance characterised the monarch in certain parts of his government ; he commanded his council to discuss in his presence the advantages and perils of any enterprise. In doubtful affairs, he took their advice
in

in writing ; he thought deeply, and viewed both sides of a scheme. But when the subject concerned heretics, he observed no laws of decency or discretion ; he nourished against them a devouring hatred which fermented in his soul. He was, with respect to them, the most cruel of persecutors.

Yet he entertained no such high veneration for the ecclesiastics,* as to forbear punishing them when they had offended him. He hanged coolly *a score of preachers* of different orders, for having declared from the pulpit in Portugal that he had usurped the crown ; and he even replied to Gregory XIII. who had attempted to interpose in this dispute, that his rights rested on his sword. Thus he observed little ceremony with the priests of his own church when his pride or his interest was concerned ; and this conduct must throw a light on the policy which preserved the appearance and mummery of external devotion, the better to seize, with a consummate address, the temporal authority.

* The archbishop of Toledo left at his death a million of crowns to be applied to pious purposes. Philip II. appropriated to himself this sum, directing two or three unbenedicted doctors to decide that, *as father of the poor*, he was the heir of that prelate. So many contradictory actions occur in his life, that the historian feels himself embarrassed.

After having viewed him on the throne, his private life presents to us the same character of hypocrisy, rigor, and cruelty. Don Carlos cost his mother her life: on the fourth day after her delivery, she could not restrain an unfeeling curiosity to view the spectacle exhibited by the inquisition. What a presage! This horrid son of Charles V. was born ferocious and inaccessible to all pity; for, notwithstanding his rank, he feasted his eyes with beholding the expiring agonies of the unhappy martyrs of the inquisition. He blushed not to avow, that if an executioner should be needed, he would not scruple to perform the office himself. He seemed (I tremble at the recital) yes, he seemed to feed on the thick vapour which rose from the smoking bodies; and at these horrid and disgusting spectacles he had spies charged to read in the eyes of the spectators, the compassion with which they might be touched. These satellites watched the sighs, the involuntary heavings of nature; and from this information, those who had felt too lively a pity were delivered over to the inquisitors.

He appeared only once in arms: it was on the day when a breach was made, and the town of St. Quintin carried by assault. But his fear was

was so great during the battle, that he vowed*, if he should escape, to build and consecrate a magnificent monastery to St. Lawrence. He added a church and a palace, and directed that these edifices should have the form of a *gridiron*, because St. Lawrence, according to the legend, had been roasted upon a *gridiron*. Such is the origin of the *escorial*, which cost such an immense sum. But he lost the fruits of this battle, which promised such mighty advantages, that Charles V. in his religious retirement, informed of the victory, asked if his son was in Paris†. Count Egmont, whom he afterwards had

* He made, by reservation, another vow, never to appear again in battle.

† He took in a convent of monks the Christian advice, very useful to France, *that he ought not to drive his enemies to Spain*. This counsel, adopted in a cloister, was pursued. The French resumed a new courage, and seized on Calais, which, for 200 years, had belonged to England. He was equally merciful to the Italians. The duke of Alva, commander of his forces, wished to humble an ambitious pontiff, and Rome was in his power. Philip II. wrote to his general that, *he would rather lose his crown than displease the pope*. And, while the duke of Alva advanced to take possession of that capital of the world, he ordered the apologies of the king of Spain to be made to the pope, even by the mouth of the conqueror. He restored to the Holy See all the dismantled places; he accepted shameful terms of peace. This conduct could only be the fruit of his education. His governor pulled off his hat when he saw, thirty paces off, a man wearing an ecclesiastical habit. His fanatic dis-

had beheaded, gained him the battle of Gravelines, of which he profited as little.

Raised to the throne by the abdication of Charles V. the first act of his power was to break a truce which his father had made with the French. As ungrateful a son as he was afterwards a bad father, a barbarous husband, a pitiless master, a dangerous friend, an unfaithful ally; dissembling, mistrustful, vindictive, his hatred to the Protestants bordered on frenzy.

With pride he blended vanity; he required

position displayed itself from his infancy. Charles V. arranged his espousals with Mary, queen of England. It would be difficult to show the advantage of that marriage: Philip, by the conditions, was not allowed in England to retain a Spaniard in his service, but the peace of Chateau Cambreis reflected glory on his arms and on his policy; it occasioned in the sequel, the unfortunate marriage of Philip with Isabella of France. He sought to espouse Elizabeth, who was already seated on the throne; but if he possessed any penetration, it was needed when he expected to share the bed and the sceptre of a woman possessed of so great a genius. The artful Sixtus V. urged Phillip to hasten his attempts against England; but if we search into the crafty genius of that pope, we shall be tempted to believe that he was in understanding with Elizabeth, and that all the offers he made to Philip II. were only so many snares. He tried to usurp the kingdom of Portugal, and join it to his dominions. The cardinal Henry had appeared merely to hold it, to give Philip II. time to prepare for disputing it with the natural heir Don Antony. He had advised Sebastian, king of Portugal, to venture himself at a great hazard in Africa; he perished there, and theologians armed with arguments completed the victory.

that

that no person should speak to him, otherwise than kneeling; he made even the accomplices of his cruelties to tremble, and the most faithful minister of his royal vengeance, chancing one day to enter his closet without being introduced, was saluted with these tremendous words: *an effrontery like yours deserves the axe.*

When he ordered the counts Egmont and Horn to suffer on a scaffold, he said, that he cut off their heads, because *the heads of salmon are more valuable than several thousand frogs.*

The convents were the principal objects of his bounty; and if he was liberal to monks, he was as extravagant to concubines: he squandered gold and diamonds profusely in the pursuit of his pleasures.

He never trod upon the tombs, because over the epitaph there is sometimes a cross. Quietting his conscience by these pious mummeries, he put to death fifty thousand Protestants; and his wars, according to his own confession, cost him 564 millions of ducats.

Although attached to the dogmas of the catholic religion, he had numerous mistresses*.

He

* Pleasure, which sometimes softens the heart of man, usually hardens that of sovereign despots. Tyranny is not extinguished in the habit of indulgence; it grows more insensible in the midst of debauchery:

He lived in adultery with Anne of Mendoza, whose husband he had appointed to administer to his pleasures. He had a rival in the unfortunate Escovedo. The jealous and exasperated monarch commanded the informer to assassinate with his own hand the accused.

He also caused Don Juan de la Nuse to be decapitated by the viceroy of Arragon ; and this, as it appears, not merely for the sake of religion. Joseph Andrada was charged with the most secret and most enormous enterprizes.

He employed every expedient to conceal, and withhold from the public eye his natural daughters, by shutting them up in cloisters ; and in his profound hypocrisy, he had always the art of palliating his vices. The fires perpetually burning for the heretics, must of themselves have wasted away ; but he rekindled the zealous fury of the inquisition, when it was weary with shedding blood.

This cruel king governed a nation in the height of its glory, flushed with its successes, and rising in stateliness above the surrounding kingdoms. But Philip II. forgot his own

debauchery : this is the fire which hardens clay. Nero plunged into crimes with the poison of enjoyment ! every thing fours, in a heart naturally vicious. The Roman emperors joined the most unbridled licentiousness to the most atrocious cruelties.

strength, and perplexed his negociations with subleties which made him lose, in intrigues and contradictory measures, a real and very extensive power. This versatile policy suits small republics and limitted states ; but those which have weight and greatness ought to reject such low cunning, and pursue the attainment of their objects with lofty ideas and military discipline.

Diffimulation, it must be confessed, is sometimes necessary in a king : the passions of those around him are often so ardent, that he cannot refrain from temporizing with them. But Philip II. was an imposter rather than a dissembler. He was not born for the place which he occupied at that great epoch ; it required a profound genius, and his was only subtle. He introduced into the science of governing, the employment of spies, whom the most secret intrigues could not escape. A great king ought not to have this restless curiosity ; nor should he lessen himself by so prying a vigilance. The secret actions of men concern him not ; he ought to interest himself alone in those which tend to disturb the tranquility of the state.

A great event in his domestic life still excites at this day, the curiosity of the world. Mezeria, a severe but faithful historian, makes this positive assertion : *He is certain that Philip II. poisoned*

poisoned his consort, and took her off, when she was big with child. But many other historians deny the crime of poisoning, and affirm that Elizabeth died of melancholy, at the catastrophe of Don Carlos. Philip II. however, was undoubtedly guilty of parricide. The tragical story of Don Carlos is well founded ; for the king delivered over his son to the hatred of the inquisitors, an hatred avowed and rendered too public by indecent invectives. But the inquisition and Philip II. were the same.

This monarch, who had shed torrents of blood during a reign of forty-four years*, died calmly at the age of seventy-four. Two days before his death he saw, in a vision, the heavens open : afflicted by a horrible and tedious distemper, he was patient and firm ; he received fourteen times the supreme unction : his conscience did not reproach him.

Who will pronounce, who will venture to pronounce on the religion of this prince ? Was it possible that he could be sincere in his professions ? In this point of view I consider his pious

* History relates that he cut off, by the sword or poison, upwards of fifty thousand men. He said to the physicians who were afraid to bleed him : Draw without fear a few drops of blood from the veins of a king, who has ordered floods of it to run from the heretics.

frenzy as an incurable one, and that his monstrous principles and superstitious belief were, on that account, so much the more detestable. But it is more probable, that he thought by the practice of devotion to efface the crimes of his public and private life; an inconceivable error, but too common in that unhappy age, when morality and sound policy had no rule or measure.

It was by his direction, that the beautiful *Polyglot Bible*, which bears his name, was printed at Antwerp. He ordained that the fourteenth year should be the term of the majority of the kings of Spain.

Philip II. was a little man*. I have already remarked that the passions, concentrated, per-

* He was little in mind as well as body in a multitude of things: at one time he lowered his pride so much, as to eat at the refectory with the monks; at another he ordered a woman out of his presence who had laughed in blowing her nose. He entered no monastery without kissing all the relics; he had his bread baked with water from the fountain said to work miracles; he boasted his never having danced, and never having worn breeches in the Greek fashion; he interrupted, out of modesty, the harangues addressed to him; he was very grave in all his actions; but he gave way to extravagant transports, when he received intelligence of the massacre of St. Bartholomew. He had little esteem for poets; and when asked the reason, he made this sensible reply: *that they knew not how to keep within the bounds of modesty.* Fortune assisted him more than his talents.

sonal,

sonal, and violent, take up their abode in preference in persons of small stature: in general, diminutive creatures are more than others irascible and vicious.

In the mean time the new opinions drew the attention of all men; the reformation spread in spite of the fires of the inquisition. France remained in suspense; a national council was demanded on all sides; and Catherine of Medicis herself proposed to the pope, to remove the images from the churches, to permit the communion cup to the laity, to abolish *Corpus Christi* day, and to celebrate mass in the vulgar tongue.

The French complained loudly of the council of Trente; the wags, to paint the influence of the court of Rome, said, *that it had sent the Holy Ghost in the portmanteau of the nuncio.*

The ambassadors of France endeavoured to crush the ascendency of the legates and Italians; but these, with their usual address, managed every thing in favour of the pope.

Lamez, general of the Jesuits, maintained that from the pope alone emanated all spiritual authority; that he comprehended *the whole hierarchy*. Father Paul, in his history of the council, unravels the web of intrigues that were practised, and sets in a clear light the vain subtleties

tleties which were too much blended in affairs of so much moment.

This famous council, which ought to have done away the many excessive abuses that provoked the censure of the innovators, was forward only to augment the ecclesiastical immunities which ages of ignorance had bestowed.

The ancient spirit of domination appeared in all its loftiness, and roused the opposition of a part of the French nation, which has since rejected constantly so severe a discipline.

The council of Trent taxed with heresy every discourse which tended to weaken the jurisdiction of the ecclesiastics; hardly were the rights of sovereignty shielded from their attacks.

This famous council did not close till the year 1563. It met with a various reception in different states. The king of Spain shewed in public the greatest submission; but what may at present be regarded as a precious stroke of his character, he gave secret orders for maintaining the royal authority. The chancellor de l'Hopital and the parliament opposed strenuously the publication of the acts of the council.

It served merely to disgust and inflame the Protestants, all hope of restoring whom to the bosom of the church vanished. The *index* of the books prohibited widened the breach; the authors

authors and their works, dishonoured in this *index*, obtained numerous partizans, because a sacerdotal disposition so violent must have provoked all enlightened minds ; and some of these are found in every age.

Pius V. had burnt as heretics several persons distinguished by their knowledge ; among others the learned *Palearius*, whose crime was the having called the Holy Inquisition, *a poignard levelled at the head of men of letters* *. The fate of the philosophers was, at this period, lamentable. Ramus had been assassinated by his scholars ; others were obliged to fly † from the pursuit

* The successors of Palearius fully avenged his fate ; for men of letters never pardon those who attack their liberty. From age to age, they raise a cry of reproach and detestation, which spreads and gains force, till the oppressor is delivered over with everlasting infamy to future generations.

† Among these, we distinguish Faustus Socinus. Equally remote from the Catholics and Protestants, who understood not one another, he wished to reconcile the opposite parties. He attached himself to the divine morality of the gospel, which recommends peace and charity. He honoured Jesus Christ as a sage, endued with a super natural virtue, whom God had made the immediate organ of precepts, the best calculated to lead men in the way of their duty, and in the practice of the virtues. This doctrine, which opposed not human reason, and which terminated theological disputes, offended both the Catholics and the Protestants, jealous of dogmatizing, and who substituted the pride of argumentation for evangelical charity. Faustus Socinus, who, with his philosophical ideas, could not have escaped the fury of the inquisition, fearing no less

the

pursuit of the obstinate persecutors of consciences, who fancied they were avenging the cause of God.

When we reflect that these events, so extraordinary, are in a manner recent, we cannot fail to be astonished at what has passed. What obligations are now due to that philosophical spirit which has demonstrated the emptiness and disgrace of those violent and senseless disputes originating from modes of worship?

May the study of history enable us, therefore, to appreciate the advantages of the present times ; may it cure us especially of that dangerous error which would persuade us that we live in a degraded or degenerated age ! Nothing is more false. Who would regret his not having lived in the sixteenth century, amidst so many bloody tempests, under those feeble, ferocious, or superstitious monarchs ? The ecclesiastical yoke then pressed on every side, and distorted men's characters into hypocrisy.

the apostles of Geneva, went to found his seat in Poland and Transylvania : being afterwards proscribed, it took root in Holland and England. This peaceful reformer, whose name will never perish, died in 1604.

DIALOGUE BETWEEN MONTESQUIEU AND THE
ABBE GUASCO.**Montesquieu.*

GOOD day, my dear Abbé.

The Abbé.

What a surprise is this ! and how fortunate the meeting ! who would have expected to find you here ?

Montesquieu.

The sight of you fills me with equal wonder ! How happens it that you have quitted your own fine country, Italy ?

The Abbé.

Ah ! I shall return thither.

Montesquieu.

Such is also my intention. Whither are you now going ?

The Abbé.

To Paris.

Montesquieu.

Accompany me rather to my chateau. It is the finest rural spot I know of ! Nature is there clad in her *robe-de-chambre*, and in a charming *négligé*.

* They are supposed to meet at Marseille.

The

The Abbé.

What ! is the president then become a rustic ?

Montesquieu.

Truly so. And, take my word for it, to this you yourself will come at last. I am going to plant cabbages *à la Bréde*. My chateau, entirely in the Gothic taste, is at present worthy to receive him who has travelled every where. Be of the party, I entreat you. We will continue there till Martinmas ; and there we will walk together, will study together, will plant woods, and make meadows.

The Abbé.

The capital summons me against my will. I ha'c been solacing myself with the idea of surprising you at Paris.

Montesquieu.

It is a place which I shall not visit for this year at least. I am too poor to live in that city, where we are told every pleasure is to be found, because its dissipations make us *foolish* of life. Since I have ceased to be harafted by the suppers of the capital, my mind and my stomach have both been benefited. Trust me, my friend, temperance is the most exalted and delicate of pleasures—you must —————

The Abbé.

I have travelled almost every where ; and wherever I have been I have heard your great work spoken of : the distinguished man of letters lives where he has no physical existence. Foreigners, by the by, understand your production better than do your countrymen. In France a hasty judgment is formed of it ; but it requires some study.

Montesquieu.

I have myself made that observation, and I may say, without vanity, that such is my persuasion.

The Abbé.

It is a work which begins to effect a revolution in the minds of all. Translations are every where made of it.

Montesquieu.

So much the better ! The subject is fine and great—unquestionably too great for me, not withstanding I have devoted to it my whole life. Another who should have bestowed on it the same labour, would, perhaps, have succeeded better : for my part it has almost killed me, and has given me grey hairs before my time.

The Abbé.

Thus is your head crowned with immortal laurels !

Mon-

Montesquieu.

Softly, softly, my friend. I have only laid the ground-work for something better.

The Abbé.

You will be the cause of a new legislation, which will become universal. Ages to come, abandoning error, will advance to perfection with the help of a more pure light. What is just and good will convince by its very simplicity, and, in spite of every obstacle, will reach the heart of those in whose hands the executive trust shall be placed.

Montesquieu.

This is the reflection that consoles me. To them justice is a quality as proper as their existence. But, alas ! when will they be persuaded of their real interest ?

The Abbé.

Having been so successful, why do you not satisfy the general expectation, by giving to the public a detail of your travels ?

Montesquieu.

Whenever I can find leisure, depend on it I shall make the necessary arrangements for that purpose.

The Abbé.

You have been able to see to the bottom of that of which others have been enabled to ob-

tain a glimpse only. What think you of England ?

Montesquieu.

I, who am so little subject to violent emotions, have been there ravished, transported.

The Abbé.

You have displayed the beauty of the English government better even than the English authors themselves. But having since visited England, you must——

Montesquieu.

Ah ! why has my book already made its appearance ? I have said nothing that I ought to have said. (*Strenuously*) The people of England resemble the sea with which they are surrounded, always either agitated or majestically tranquil : a short storm purifies the air, and brings a calm which is never that of insensibility. Yes, the English may glory in the constitution the most conformable to the dignity of human nature. The three integral parts of the government are united and combined in the most advantageous way, since even the defects serve to maintain the general equilibrium. Factions in the mean time prevent political corruption. The idea of representatives is a modern one : it is sublime, and the result of a sage and long experience ! I am delighted with the stamp

of

of perspicuousness and grandeur it bears ! Ah ! trust me, liberty is safer in the hands of representatives than in those of the people themselves.

The Abbé.

You transport me when you thus express yourself: evry friend of liberty should direct his attention to that Island.

Montesquieu.

Undoubtedly : and the existing example of the admirable English constitution will be at once the model of other states, and the terror of tyrants. The shadow of that august republic is calculated to intimidate despotism.*

The Abbé.

I agree with you, and offer up my hearty prayers for its prosperity. Besides that the power of the monarch may be most precisely balanced by an intermediate and indestructible body, the depositary and guardian of the laws,

* Let me quote Montesquieu's words. "In England the laws not being framed more for one individual than another, every one has a right to consider himself as a MONARCH. No citizen entertaining a dread of any other citizen, that nation ought to be proud ; for the pride of KINGS is founded entirely on their independance." The expression here is visibly exaggerated ; and it is ridiculous to represent the English as a *nation of kings*. But improperly as Montesquieu has expressed himself, we can still comprehend what he was desirous to infer from his argument.

in England the right of each individual is rigorously established, an advantage certainly of no small import.

Montesquieu.

In England the men are more man, and the women less women than elsewhere. The various laws which have been successively established, and which form the rampart of public liberty, seem to have hastened the progress of the arts and sciences: their intimate connection with the felicity of the people is there most clearly perceived and felt.

The Abbé.

There is, however, one great inconvenience: the weight of the taxes is considerable, and on this the English themselves complain.

Montesquieu.

Not those who are the best informed, I protest to you. In proportion as liberty diminishes, so ought the taxes to diminish, and to augment in proportion as liberty increases. The paucity of tributes is but a poor compensation for liberty; and, if the impost is heavy, the republican spirit eases its weight. The worst of governments is that in which the taxes are excessive, and the liberty nearly a nonentity. Do you know the government I allude to?

The

The Abbé.

It excites the pity of its enemies.

Montesquieu.

With what pleasure do I contemplate England, the Swiss leagues, the United Provinces, the Hans Towns, and even Venice ! It is a consideration which gladdens my soul, harrassed by observing elsewhere the insults by which nations are humbled and degraded.

The Abbé.

The more nations shall meditate on your principles, the farther will they remove from the abyss of vices and miseries into which they are plunged. The spirit of the government forms the genius of a nation, a fact that is no longer equivocal.

Montesquieu.

Yes, my friend, and I am constantly penetrated by horror, when I reflect on the means by which despotism is supported ;—that despotism which has gradually advanced, and now extends its iron sceptre over two thirds of the globe. I am aware that infinite combinations are required to form a government similar to that of England ; but in short, the perfection of human intelligences, effecting the overthrow of an arbitrary power which is at the same time fatal

fatal to itself, will trace out the theory of essential and general laws.

The Abbé.

You have been the first to publish this luminous truth, that slavery can in no sense be either legitimate or useful: and by history this great truth is more especially inculcated.

Montfquier.

Yes, it is there that we find represented on a large scale the experiments made on human nature, which I love to consider in these great social combinations. I there see distinctly what I have not yet noticed in my works, namely, that at every time, and in every place, human nature, impelled to action under the guidance of several individuals, has performed prodigies; but that when reduced to a passive state, under the government of one man, it has fallen into degradation and contempt.

The Abbé.

You have followed the impulsion of a genius that has commanded you to seek the highest possible felicity of the whole species, and of each individual. Thanks to your penetrating eye, this great enterprize has no longer been deemed to favour of rashness: your book is a creation; but I will venture to tell you that it is not free from errors.

Men-

Montesquieu.

Who can be more sensible that it is so than myself? I would give all the world, if I had it, that it had never been printed.

The Abbé.

There are several objects on which we do not entirely agree. You will excuse me if I endeavour to investigate these in your presence.

Montesquieu.

How! are they objects which have a direct influence on the lot of man? Error, on this score, is always a great evil. Speak, speak, the censure of a sagacious and learned friend flatters me more than his approbation.

The Abbé.

Have you not bestowed your admiration too lavishly on a nation rendered more celebrated by the miseries it has heaped on other nations, than by the happiness it has procured for itself? It does not belong to you, either to be the dupe, or to be dazzled by the ideas of aggrandizement and false glory, which rendered the Romans despots and tyrants at home, oppressors abroad, and unjust towards all. True philosophy condemns acts of high injustice in nations, as it does those of individuals.

Montesquieu.

It was my sole aim to speak of the grandeur and

and virtues of the Roman nation. I have generalized the facts of ancient history, merely to observe every political phenomenon. Its vices have passed away, while its glory, which may serve to elevate our souls, still subsists.

The Abbé.

But why bestow so much praise on those who laid waste the universe ?

Montesquieu.

Be under no apprehension that they will be imitated by the moderns. I never reflect without sorrow on the fall of the Roman republic, whether I consider that the honour of the human species has suffered by it, or that Europe has long felt its baneful effects. The ruin of that vast edifice has cost the human race as much blood as was expended by its construction : and when I lament the fall of so superb an empire, I do not justify the means by which it was elevated.

The Abbé.

Let us shift the object of discussion. You were the first to fall upon the luminous principle of the influence of climate, a problem, the solution of which no one had before attempted: but have you not carried this principle too far?

Montesquieu.

This powerful cause certainly exists ; and I perceive

perceive that every skilful legislator has either attempted, according to circumstances, to derive advantages from the climate, or to combat its defects. These legislators have therefore been aware that circumstances favourable to their views might reside in the climate. Let me explain myself.—This influence ought not unquestionably to be carried too far; but the local nature of man has not, I think, been on that account the less demonstrated: and where legislations are infected by the vices of the climate, the latter ought, in these enlightened days, to be opposed by political institutions. Thus ought the legislator never to lose sight of the state, or rather of the general spirit of the nation he is desirous to form. This spirit is the result of all the elements of which the nation is composed: it is the national character to which no violence must be offered; for the citizen is never formed by destroying the man, who must be respected to render the enjoyment of the various benefits of civilization complete.

The Abé.

You are right: when the laws proceed to open force, their violence loses its aim; and they can alone succeed by taking advantage of opinion, which may be considered as the main spring of legislation. Have you not granted too much to

the

the magistracies, which have not the power even to compass any great good? And have you not laid too great a stress on the prerogatives of these bodies, which have no other than a shadow of authority?

Montesquieu.

I may have done so: but till a more solid rampart could be found, I was unwilling to cut down the hedge.

The Abbé.

Finally, you have introduced into your work an apology for venality.—Were your ideas on that day perfectly clear.

Montesquieu.

Quite the contrary. I confess myself to have been altogether wrong, and consider elections as far preferable.

The Abbé.

Your error seems to have arisen from this, that your ideas, drawn from jurisprudence rather than from policy, have not sufficiently accorded with the forms which belong to a popular government.

Montesquieu.

I confess that I had my apprehensions about them, and that even through my love for humanity.

The

The Abbé.

Your heart needs no justification. Whatever you say, you never fail to set your readers upon thinking: this is the great point; but it does not belong to every one to read you.

Montesquieu.

Do you mean that as a compliment? So much the worse for me if all the world does not read me. Every discovery whatever is nothing more than a new idea, and every idea may and should be significantly expressed by words: if all the world does not read and understand me, it is a fault on my side which I shall take care to correct.

The Abbé.

It was my sole aim to say, because I am persuaded of it, that all possible study and experience are not sufficient to authorize exclusive propositions on legislation.

Montesquieu.

I have not treated of the twentieth part of the objects I was desirous to embrace. I shall return to the task; but, alas! old age advances towards me, and the work is retarded by the great bulk of its materials.

The Abbé.

You have paid your tribute; be contented. It was necessary to set out by speculations; and

it now remains to see the moral generally applied to legislation throughout Europe. Every truth has its progression—leave the influence of ages to act. It strikes me that we Frenchmen shall also be entitled to true glory ; and that we shall not be deprived of the truly flattering and agreeable hope of obtaining from posterity that sentiment of admiration we ourselves cannot withhold from the splendid virtues of the Greeks and Romans. We shall have ours ; and to this the works of those who resemble you will contribute not a little. Ancient legislations cannot be calculated for modern nations. The discovery of the new world, the mariner's compass, printing, gunpowder, and the circulation of intelligence by the post, all these new and heretofore unknown relations require particular views. If the great aim of all civilized societies be public happiness, you must agree with me, that reasonings ought to give way to facts.

Montesquieu.

I comprehend you ; and, calculating by the wants of nations, which are at this time the same, Europe should, at length, compose but one and the same family. The national characteristics, already so prodigiously changed, ought to be utterly effaced, to the end that man should have nothing left him besides the love of peace,

peace, and the sentiment of equality. The nations of Europe, sensible of their incapacity to possess strong, durable, and peculiar manners, ought to complete the adoption of the same usages, and the same spirit, refusing to admit among them a half-civilization, the worst of all. They should accustom themselves to view with pity and contempt those cruel contentions which sovereigns wage in the name of patriotism. I therefore offer up my prayers, that the European nations, already so much united by reciprocal alliances, by commerce, by the arts, by travels, and by an intimate communication of intelligences, may proceed one step further, seeing that they have ceased to be separated. It is my anxious wish that they may so blend and incorporate with each other, that their religion, manners, and usages, may exclusively represent the pure and primitive traits of human nature.

The Abbé.

To philosophy it belongs to infuse into the soul of man these new and auspicious maxims, to complete the civilization of Europe, and to establish, in an inviolable way, the ideas of justice. Reason, however, acts but very slowly on nations; it is combated; and in these days it is besides dangerous to speak the truth.

Montesquieu. (agitated.)

It is this that enrages me.—When a citizen is deprived of his liberty for having written or spoken in favour of the general interest, then has the political corruption reached its highest pitch. Every thing is then deemed to belong to the sovereign, nothing to the country, nothing to humanity, and virtue disappears altogether from the kingdom !

The Abbé.

What a misfortune that your history of Louis XI. has been burned ! it is an irretrievable loss. In describing that grovelling despot, it must have been your aim to reveal what commonly passes in the minds of those whose attention is entirely engrossed by a cruel policy.

Montesquieu.

I there developed this important truth, a truth which is too little felt, that the despotism of one single individual cannot possibly destroy that of several, which, on the other hand, it establishes. I next demonstrated, that a moderate despotism is the most dangerous of all. To the latter subject it was my intention to dedicate an entire work, which would have been both new and important.

The Abbé.

Are you still attacked by the Sorbonne ?

Mon-

Montesquieu.

Yes.—It has been the case for these two years past unremittingly, but with little success on the part of my assailants.

The Abbé.

If they should harass you with any degree of success, have recourse to reprisals. Were I you, I would complete their overthrow. An individual may be pardoned, but a collective body of men never can.

Montesquieu.

My best revenge consists in their publishing their absurdities. To avoid, however, being deafened by the tumult, I retire to my estate, leaving casuists and theologians to squabble at a distance. (*Here they speak low, and separate.*)

OF MACHIAVEL's PRINCE.

WHEN Machiavel wrote his *code* of tyranny, did he not disclose his infernal supineness? Did he not reveal to nations the progress of despotism, and the means by which it is supported? And may it not be considered, in another point of view, as an adroit and ingenious stratagem contrived to inspire the utmost horror at arbitrary

trary power? Jean-Jacques Rousseau thinks, not unreasonably, that Machiavel, when he described *his Prince*, said to nations: this is the monster who will vex and harass you, if, through your weakness you give way to so dangerous an authority. Beware of the Prince who shall possess the ideas I have given on this fantastic being: I have created him to terrify you.

It is a sad lot to be a father under a despotic government: horrible as it is to reflect on, he has equally to dread the virtues and vices of his children, since both conduct them alike to wretchedness. How is he to rejoice at their birth, when they are either to be slaves or unhappy citizens, and when their life is to answer for their courage? This is what Machiavel says, or, at least, what we are enabled distinctly to infer from his writings.

The art of oppressing and overwhelming men is denominated by tyrants the art of governing them; and by these tyrants certain errors useful to themselves have been fallen on. For instance, they grant to a small number of men the enjoyment of the good things of this world, but they reserve to themselves, at the same time, a power over their persons, to be enabled to commit, with impunity, the political crimes which establish authority on the ruins of natural liberty.

liberty. This also is to be found in Machiavel.

Tiberius, to strengthen his natural mistrust, drew a lesson from every thing. He was wont to entertain himself with a species of lizard, entitled a *dragon*. This animal was one day devoured by ants: *it amazed me, said he, but while I regret its loss, I am taught by the accident to dread the multitude, however feeble may be the parts of which it is composed.* Is it possible to penetrate more effectually into the heart of a tyrant?

The progress of any state ought, no doubt, to be solemn: it is a mass which cannot be managed otherwise than majestically, and with which legerity does not agree. There are old maxims which, when inviolably observed, strengthen the basis of an empire; but ancient regulations must sometimes give way to the movements of policy, because states are physical bodies which may save themselves by suppleness when forcible means can no longer avail them. Machiavel again.

The monarchical government is above every other: this is true; but it can only be when the monarch is great, enlightened, vigilant, and good. This is another opinion of the same author: let us develop it.

The error of an isolated man does not impede the progress of human intelligences, and the perfection of society. But when political errors are imbibed by majesty, or by an assemblage of men who enjoy the exclusive right of deciding and pronouncing, then do these become enormous and frightfully overhanging mountains, which come between the light and the happiness of the subjects. The mental acquirements of those intelligent men, whose genius and speculations are devoted to politics, ought therefore to attract the primary attention of administrators of states. By disclosing great and palpable truths, merely for the advantage of mankind, the writer liquidates his debt to his country: for a debt he certainly owes to all the physical and moral benefits of the social state. I am the son of Adam, and all men are my brethren. The investigation of important subjects is therefore incumbent on all.

Deception, one of the artifices employed to subjugate the people, is always dangerous: sooner or later it is seen through, and the deceivers are viewed in their proper light. Every obligation is reciprocal. Now could Plato have expressed himself better? and still this is what Machiavel says.

Plato has observed that a liberty altogether
pure

pure must not be bestowed on a people thirsting for liberty, because they will drink of it to intoxication. This very idea is embraced by Machiavel.

The nation does not assist at the councils of a despot: but because the people are not present, do not imagine that they are forgotten.

As soon as an authority is solidly established, even supposing its origin to have been unjust, since the safety of the people is connected with it, it must be preserved. These are a few of the judicious maxims to be found in this politic author, and they lead one to think, &c. &c. &c.

When the nation is utterly corrupted, the certain consequence of a general neglect of the virtues is a wicked prince. As a venomous plant springs up in a morass filled with pestilential vapours, so do bad kings arise, when informers, spies, and satellites are multiplied; when each one, for the laic of gain, is ready to become a jailer, or a hangman; and when, in the midst of public misery, adulators are found ready to cry out that every thing goes well. The extreme indigence of the people is the most certain indication of the speedy decay and overthrow of the state.

The moral goodness of the people is the firmest support of a free government. So long

as there shall be an absence of that prodigious power which destroys morality and dries up the felicity of the people, the government will be in no danger. But if the extreme opulence of the rich becomes an object of envy; if those who possess large capitals are the only persons of consideration; and if the latter are placed in the enjoyment of every exclusive benefit, then will it be every where found, ready to sell their liberty, their honour, and their conscience. This aristocracy of the rich will corrupt society, and the wicked prince will appear: it will be his delight to revel in riches; and the needy part of his subjects will be to him a non-entity in existence.

Venality having spread itself over Rome, the most powerful of the citizens usurped to themselves the executive power. There is no despotism more tyrannical than that which springs up in a free state; and Rome, therefore, passed under the weightiest of all yokes. Those lofty patricians, who had before made all the monarchs of the east tremble, desirous to snatch the reins of government at home, paid dearly for their attempt against the people: the national forces were then turned against the nation itself.

In imitation of their gladiators, the Romans
murdered

murdered each other ; and the despotism of their emperors punished the people, who no longer deserved to be free.

All this is to be found in Machiavel, in the author who has been so much decrided. I must at the same time, however, confess, that his book must be read from one end to the other, with a constant recollection that irony, which was his favourite figure, abounds in all that he has written.

In the solemn acts of the French nation the famous and ancient expression *ex consensu populi* is introduced, and is rendered by the President Hénaut by the words—*in the assembly of the people*. In this intolerable distortion of the sense we recognize the servile and culpable aim of a courtier. All that concerns the statutes of Charlemagne, the text of the ordonnances, and, more especially, what belongs to the fundamental law of the states general, the basis of the French government, all these objects, I do not call them merely important, but sacred, are more or less falsified in the president's chronological abridgement. Other acts, no less solemn, the irrefragable testimonies of our ancient liberty, are passed silently over.

When the above writer insinuates, that in France the legislative power was vested exclusively

fively in the chief, without any modification whatever ; when we find him constantly silent as to the right of the council, that of suffrage, and that of the national assemblies where the authority of persuasion was stronger than that of command, can we for a moment entertain a doubt of his having at once insulted truth and our privileges ? How is it that his name is almost every where respected, and that it has not excited the idea of a dangerous flatterer ? Because there are very few to be found who are capable of reading political works.

PORTRAIT OF JULIUS CÆSAR.

I PURPOSE to delineate a man indeed extraordinary : his name, in descending through ages, has found that of Frederic alone which can be brought in parallel. The reign of the first of the Cæsars, of that celebrated usurper, forms likewise the interval between two great historical epochs, the termination of the Roman republic, and the rise of the emperors, who were, in the sequel, the most cruel enemies of the liberty of nations.

Cæsar appeared at a time when Rome was in
a con-

a condition to recover part of its ancient vigour; it still possessed virtuous men enow to revive it; but the patriciate was the gangrene of the republic, and had attacked the senate itself.— While the empire was extending its dominion abroad, the vices of the citizens encreased in strength and hastened its destruction. A corrupt republic is such for ever, and must inevitably perish. After the dictatorship of Sylla, the sovereignty was a dreadful but easy conquest, held out to the man who should be bold enough to make the attack.

Several had attempted it. First, Lepidus; but the imbecillity of his character ruined his infant schemes. Catiline possessed only the audacity of an abandoned villain, who sets shame and punishment at defiance. Cicero, a man of virtue and eloquence, and a staunch republican, defeated, by his firmness and prudence, the conspiracy, but he delayed only a few moments the fall of liberty.

Pompey, though endued with rare qualities, wanted resolution and firmness; or rather his ambition was too slow. He aspired to have the sovereign power decreed to him by the suffrages of the people, but he could not prevail with himself to usurp it. Cæsar, uniting greatness of design with extent of genius, seemed destin-

ed to the authority, which he attained by acting a criminal part, since he trampled upon the rights of his country, and, with a rebellious hand, imposed the chains of servitude. His conquests in Gaul had attached to him a formidable army; and the Romans saw too late, that their most imminent danger consisted in committing veteran legions to a single man. The senate from this time (to preserve its authority) together with Cicero, Cato, and all who still breathed the true Roman spirit, sided with Pompey.

The character of Cæsar had never been a feigned one. He showed from his youth an elevated soul, superior to fear. Married when a stripling, he had not reached man's estate when he braved the will of Sylla. That proscriber, having required that he should repudiate Cornelia, daughter of Cinna, who had recalled Marius to Italy and headed his party after his death, met a refusal which neither insinuations, intreaties, nor menaces could change. When we reflect that Sylla had only to write the name of Cæsar in the list of proscription, to punish this refusal, we are astonished at the resistance of the latter.

But Cæsar knew not how to bend. He left Rome to travel in Greece and Asia. In one of his

his passages by sea, he was taken by pirates ; but he addressed them as their master, rather than as their prisoner, and threatened to have them crucified. After being redeemed, he armed some vessels, attacked the pirates in their harbours, regained his ransom with interest, and accomplished his menace. Traits such as these, presage the firmness of his courage ; and he joined to them in the sequel, what he had not yet attained, prudence, and a fluency of speech.

It would seem that early and constantly he resolved to gain with the people a credit which he ever regarded as alone capable of advancing him to greatness. Urged by this determination, he was affable and courteous to all ; he pleaded the cause of the meanest of the citizens ; and after having gratuitously bestowed his eloquence, he gave sumptuous entertainments at his house. He had spent his patrimony, and contracted a debt of three hundred thousand crowns, before he was invested with any public post.

It was in the midst of this dissipation, affecting, at the same time, a careless air, that he brought out the images of his uncle Marius, and that he hung up the representations of his victories, which no person had dared to do since

Sylla. Thus he enchanted the people, and laid the foundations of his future power, while he gave offence to the grave senators, the partizans of the aristocratic government. An incident displays his dexterity : when elected prætor, he wished, suitably to his policy, to obtain an act for the distribution of lands among the poor citizens ; the patrician families strenuously opposed it, and drove him away by an armed force. His project failed ; but, two days after, he was able to quiet the insurgents, and entered the senate, restored to his full rights.

The eloquence with which he was endued by nature, never forsook him. To a persuasive diction he joined a lively action and gestures full of grace ; the language of genius, laconic and sententious, was familiar to him.

When high priest and privy to the mysteries of the good goddess, he at once divorced and justified his wife, by saying, “she is free of crime, but she ought not even to be suspected of it.”

During the investigation of Catiline’s conspiracy, Cicero having discovered some suspicious circumstances against Cæsar, passed by them unnoticed. He afterwards confessed that, seeing his head so finely frizzled that he durst not scratch it but with the ends of *his* fingers, for fear of discomposing its symmetry, he could not imagine

imagine it contained views of such high importance. Thus Cæsar affected to appear a giddy coxcomb only, to conceal his ambition.

It was then customary at Rome to send into the provinces those who had served the office of prætor. Spain fell to Cæsar : it was there that he wept at the sight of a statue of Alexander ; and these tears proclaimed the soul of a conqueror. Cæsar quickly subdued Celtiberia and Lusitania ; and Rome had on that coast no limits but the ocean. He returned to Rome at the time when the consuls were to be named, and, more desirous of that dignity than of the honours of a triumph, he entered the city to solicit it. A stroke of the most masterly policy secured to him in a few days the success of his vast designs.

The city was divided in attachment between Crassus and Pompey, who were, consequently, enemies. Cæsar undertook to reconcile them ; he represented that their opposition was mutually hurtful, and that they could each obtain great power without aspiring to sovereignty.— He succeeded in persuading them, and by conciliating such divided interests, he crushed with the same blow, Cato and other stern republicans, whom he either dreaded or could not love. He in the event rendered his election infallible, because

cause he came in for an equal share himself of the friendship he had created between Crassus and Pompey: they labored in concert to obtain for him the consulship. Cæsar had justly regarded it as the surest ladder for mounting to the eminence to which he aspired.

The consul acted like a tribune, and the chief of the senate appeared a plebeian. Whatever might favor or flatter the popular power, entered into the secret plan of Cæsar. He persuaded Crassus and Pompey that the real power resided in the people; and hence it was that the foresight, the probity, and the vehemence of Cato, together with the patriotism of many other senators, could not withstand an influence so obtained. The favour of the people, long ago bestowed, was now converted into gratitude, into idolatry. Every thing was easy to Cæsar, and he needed only to advance; he asked, and he obtained the government of Gaul, and the same legions for the space of ten years. In the plan which he had premeditated, the exercise of these imprudent giants was destined, undoubtedly, against those who conferred them.

Once placed at the head of the legions, whatever might be the turn of events, Cæsar could not do other than succeed. Roman liberty floated between two rocks equally dangerous; if

if Pompey, more daring, had attempted to anticipate Cæsar and to crush freedom, Cæsar would have been called to defend the republic, and, after expelling his rival, would have occupied the same post of despotism. What will always be most difficult in every government, is to find the proper station for the military body, and to give it a counterpoise without cramping its force*.

From

* The senate, foreseeing that Julius Cæsar would be raised to the consulship, had resolved to confer on the consuls very contemptible departments; but already the most powerful curia had learnt to trample under foot (by the aid of the tribunes, whom they could attach to their interest) all that the civil wars had done of the ancient laws. The consuls Gabinius and Piso, obtained on a decree, the one the province of Syria, and the other that of Cæsarea. They owed their success to their having gained over the tribune, Clodius, who at the same time exerted a privilege, that they would not oppose during their consulship theibus of Cicero his capital energy. No sooner was he made consul, than he gained over the, Verinius; he obtained by the consent of the people Cisalpine Gaul, and Illyria, to be governed at first, for five years, by an army composed of three legions. This was totally contrary to the ancient laws, since the pro-consulship was not to last above a year, and since it was hardly customary to give the proconsul more than two legions. The artful Cæsar, profiting by the resemblance of names, got added to his government, that of Transalpine Gaul, Cisalpine Gaul comprehended the country extending from the Rubicon, a small stream in modern Romania, as far as the Alps.—Rome kept on foot considerable forces in that province, to cover Italy from the invasions of the barbarous nations, and to over-awe the Gauls themselves. But to secure the metropolis against the

From that moment, Cæsar wore no longer the frizled head that had deceived Cicero ; he assumed a military air, and displayed in Gaul those great talents for war which we still admire. In no quality was he inferior to the commanders who have either preceded or followed him ; and he excelled them all in the quick discernment of occasions for action, and in the difficult art of improving incidents.

He wrote his *Commentaries* with precision and clearness, in an instructive style, and so utterly devoid of all ostentation, that the pen which describes his warlike operations seems not to have belonged to the hand which directed them. The

danger of these troops, the senate had framed the celebrated *senatus-consultum*, which devoted to the infernal gods whoever, with a legion or a cohort, should pass the Rubicon. The government entrusted to Cæsar was, therefore, a most important one : to it was joined another still more considerable, that of Transalpine Gaul, which comprehended the south of France. Thus Cæsar, by his position, could for many years make war upon all the nations he chose, so that his soldiers became habituated to him, grew old under his command, and were subdued by him no less than the barbarians. Without the government of Transalpine Gaul, Cæsar could never have corrupted his soldiers, nor adorned his name by so many victories ; and if he had not obtained Cisalpine Gaul, Pompey might easily have stopt his passage over the Alps. The same terror which Hannibal carried to Rome after the battle of Cannæ, was spread by Cæsar when he passed the Rubicon ; Pompey could only fly or submit ; he quitted Rome, left the public treasure, and could no where retard the conqueror.

marvellous disappears. After having conquered Gaul, he won the friendship of the vanquished people; ever beloved by his troops he called them fellow-soldiers, *commilitones*, and was no less their companion than their leader*.

This

* What empire had not Cæsar over his soldiers! He owed it to the superiority of his genius, to that confidence which he had inspired in attaching them to the ties of military discipline, as the surest pledge of victory. Certain Spaniards, vanquished by his arms, having retired into an island at a short distance from the main land, Cæsar, who had no vessels, could not pursue them; he constructed with all speed a few light boats, to transport into the island a small body of troops. Some of the soldiers were disembarked upon a rock, from whence they could advance against the enemy, and the centurion who commanded the detachment, reckoned upon being able either to support or to cover them as occasion should require; but having been deceived in his plan by the ebb-tide, which carried off his bark, he left his soldiers, who were but few in number, exposed to the mercy of the barbarians; they were all killed except one named Scæva. This valiant soldier, after fighting long, leapt into the sea, though wounded, and swam ashore: Cæsar, who had been a witness of the whole transaction, thought that Scæva was come to ask a reward; he was much surprised at seeing him fall on his knees and beg pardon for being without his arms, and particularly his *luckler*. It was a subject of admiration to Cæsar, to find in a soldier so much respect for discipline joined to so much bravery. He raised him to a distinguished rank.

Such soldiers could not fail to compose a formidable army; but it was nevertheless submissive, or at least it returned quickly to duty after trying its strength. The following is an example: The army which Cæsar got ready to lead into Africa, to reduce the remains of Pompey's party, having mutinied against him, demanded in a seditious manner a discharge, and the rewards which he had promised

This genius, vast, and at the same time versatile, provided for every event, and seemed not deeply occupied with all these great objects. In the midst of three hundred restless nations, which

misled. The *tenth legion* especially, which enjoyed Cæsar's peculiar esteem, distinguished itself in this revolt, and all the troops proceeded to such audacity as to march straight to Rome: there they prepared to obtain by force what formed the object of their insolent claims. Cæsar was apprehensive for the city, but did not shut himself up; after distributing, to guard the gates, the faithful troops which still adhered to him, he went out to the revolters, encamped in the field of Mars, nor could the entreaties and counsels of his alarmed friend, prevail with him to ~~desist~~: he boldly ascended his tribunal, and, with a threatening tone of voice, asked the soldiers what brought them thither, and what were their claims. Disconcerted by this first proceeding so firm and so lofty, the mutineers durst not even dare to regard the delay of which had excited their fury, they contended themselves with replying that, broken with fatigue, and exhausted by their loss of blood shed in so many battles, they all merited their discharge. *I give it you, replied Cæsar, without halting one moment, go when I have dismissed all other troops, I will not neglect to avenge the promises which I have made you.*

A few words were a clap of thunder to the revolters; they did not expect to receive a decision, nor to find Cæsar grant their dismissal at the time he most needed their services: the promise of recompence confounded them; they perceived the shame that awaited them; it, after bearing the burden, and undergoing all the dangers of so many important wars, they left to others the honor of the triumph: stung, without being subdued, they hesitated to believe that Cæsar would fulfil his menace, and consent to forego their services. The dictator, firmly laconic, opened not his mouth but to address the mutineers and take leave of them by employing

which rallied with spirit when they were thought to be crushed, Rome, and the transactions there, were present to his view. Although at a distance, he was himself the principal mover. Is it not wonderful to behold him arrive from the heart of the Belgic territories to spend the winter on the banks of the Po, to attract to himself all that Rome could boast of grandeur and magnificence, and to exhibit the spectacle of an hundred and twenty *faces* at its gates?

When he passed the Rubicon, not like a rash adventurer, but a considerate warrior, he was accompanied only by five thousand foot, and three hundred horse. The rest of his forces were still beyond the Alpes; but he had skilfully calculated on the confusion which surprise would produce, and on the terror which would prevail where there was neither concord nor

the word *Quar'as* (citizens) because he no longer considered them on the footing of soldiers. That word completely humbled and subdued them; they knew that they were *slaves*, they prodded their valor, which a moment had before fled, and the spirit of their repentance; they entreated to be let with Cæsar into Africa, promising to conquer their enemies, however numerous they presented themselves even to be defeated; it was necessary to appease Cæsar. Cæsar answered, that he was unwilling to shed their blood, but that soldier, full of vigor, who intended to obey their general, deserved only to be cather'd. At last, overcome by their supplications, he was pleased to relent, and to grant them, as a favor, the honor of marching under his banners.

virtue ; he knew the irresolution of Pompey, never firm to the same plan. Nor was he deceived ; consternation preceded his march, combated for him as he had foreseen, and, in sixty days, rendered him master of Italy.

This decisive event ought, on reflection, no longer to surprise. In the first ages of Rome, the soldier never quitted Italy. The war was usually terminated in a single campaign, and each winter he revisited his home. But when the Romans pushed their victories beyond the Alps and the seas, the soldier, removed from Rome many years, lost sight of the republic, and gradually became accustomed to look up to his general, and to repose on him all his hopes. Public spirit was vanished. Every man adhered to Marius, or to Sylla, to Cæsar, or to Pompey.

Pompey escaped from the conqueror, who did not commit the blunder into which another would have fallen, of pursuing beyond sea ; he knew that Pompey would be vanquished by his own negligence. In reality, that unhappy general, whose naval forces were prodigious, did not block up his passage, because he expected it would not be attempted until the spring. Cæsar drew him to Pharsalia, where he gained the ever famous battle which decided the fate of the Romans. He followed Pompey close

close to Egypt. He owed this victory to his knowledge of the new and effeminate Romans, come from the games or circusses of Greece, when he ordered his soldiers to *strike them on the face*. The taking of Pompey alive would have brought him into an alternative extremely difficult. The crime of Ptolemy saved him from that painful dilemma, and fortune, which had rendered to him so many signal services, crowned its favours by an incident the most seasonable to the glory and elevation of Cæsar. He relaxed from his martial toils by winning Cleopatra, and he dreaded not new enemies, provided he could place on the throne a woman whom he loved. Voluptuous in the city, and frugal in the camp, he passed with equal ease from sensuality to the hardy life of a soldier.

Why did this great man aspire to crush the liberty of his country? Was he actuated by two different souls? Ambition corrupted the finest genius of the universe; but this passion once satiated, Cæsar resumed all his natural virtues. When he was dictator, he appeared to deserve a world. Clemency paced before him, it spake by his mouth, it silenced vengeance, and even policy. He abstained from blood, collected tenderly all that victory had spared, and while the fury of the first proscriptions seemed to autho-

rize rigor, and while Rome and the universe would have beheld it exercised without surprise, the clement Caesar would not allow to be fixed on the gates those execrable lists which procured to Marius and Sylla the appellation of monsters, and which sullied the memory of Augustus. He pardoned two poets who had composed severe satires against him; and, considering the circumstances of the times, and the solicitude he bore for his renown, this was not the least token of his generosity.

Not but he was aware of the dangers which threatened his person, and of the easy means to avert them; but he abhorred precautionary murders; he chose rather to hazard his life than to blast it by committing cruelties. In the list of those who conspired against him, there appeared, in the sequel, the names of those alone whom he had pardoned. In these traits of character who sees not a being superior to the hero,—the man of magnanimity? He was not ignorant of the machinations on foot against his life; his courtiers proposed that he should employ guards about his person. What a noble and bold philosophy dictated this reply; *it is better to die at once than to watch continually against death.*

How can it be conceived that he who was

endued

endued with such acute penetration, and such extensive knowledge, invested with the sovereign power over a nation that held the empire of the world, should have entertained a foolish wish for royalty, against which the people, though subjected, declared always in a decided manner ; that he should have desired to encircle his forehead with a *diadem*, and bear the name of *king* ? Is there a magic sound in that name ? Of what consequence was the title when he enjoyed a supreme power ? How could a mind so enlightened be ambitious for a name odious at Rome, and common to a thousand sovereigns, while he had one peculiar to himself which placed him with dignity at the head of the first people of the universe ? This name of king recalled the memory of the Tarquins, and every eye turned upon Brutus, as if to declare, that to his name belonged the privilege of exterminating the kings of Rome. Brutus was thus impelled, by the public wish, to stab Cæsar ; and this bloody plot was executed on that very day when he expected to receive from the senate the title of *king*, and the liberty of wearing the *crown* in the provinces, out of Rome and Italy.

Thus was the great Cæsar sacrificed to a whim which forms a contrast with the loftiness of

of his character. Nothing can better display how much ambition blinds superior geniuses : the passion of Alexander was to be deified after his death, and his wish was not accomplished ; the passion of Cæsar was to be called *king*, and he was punished with twenty-three strokes of the dagger.

The conspiracy of Brutus presented to the senate an opportunity of re-establishing liberty. Without doubt it ought, consistently with the most usual rules of prudence, to have seconded Brutus and Cassius, and, proceeding a step farther, to have put Antony to death, stifled the hopes of the young Octavius, and proscribed the memory of Cæsar. Instead of acting this part, the senate committed to Octavius the charge of making war against Antony, without seeming to comprehend that this diversion would weaken the republic, and without foreseeing that when once Octavius should have nothing to fear from Antony, he would be reconciled to his antagonist, to the end, that by their united force they might crush Brutus and Cassius, their true enemies.

The farther a person is removed from the sovereignty, the more ardent is the desire to attain it when the road opens suddenly to his ambitious view. Cæsar was descended from a private house, and, in spite of every obstacle, rose to be

be perpetual dictator. Opposition inflamed both his courage and his policy: and what talents were required to constrain his equals to become his subjects! In this light, no man was comparable to Cæsar, but Cromwell. The latter dethroned his king, the former destroyed the majesty of the Roman people: Cæsar was killed, and deserved his fate; Cromwell reigned, and still leaves in a state of indecision the opinion of the friend of public and national liberty.

The great event of the extinction of Cæsar arrests our attention; for who would have thought that the death of one man could have had such a remarkable influence on so vast a portion of the globe? Was Brutus an assassin or an avenger? His fixt principles, wholly founded on the interest of the republic, taught him to hesitate not preferring the general good of his country to every other interest; it dictated to him that the public claimed the highest regard, and that the enemy of liberty is the enemy of mankind. The crowned monsters who sat on the throne which Cæsar had erected, and even consolidated, prove that Brutus acted well; happy could he have killed tyranny in stabbing the tyrant! But tyranny subsisted: a generation of emperors would have required a generation of Brutusses. Though nearly all these tyrants

were hurled from the bloody throne they filled, still no one of them was sacrificed by the hand of patriotism. That long succession of treacherous and stupid tyrants, the disgrace of humanity, exhibits only the capricious work of a lawless military force. A crime raised them to the throne, a crime forced them to descend from it.

Cæsar profaned that sword and that genius which had rendered him master of the nation and the senate; but the first steps he advanced in the career of ambition perhaps deprived him of the power of stopping. Let him who loves true glory shudder at this reflection, and dread the honor of every dictatorship, even the most temporary! An accomplice in his youth of all the conspiracies that were formed at Rome, Cæsar had the art of constantly escaping detection, though always suspected: if he had entered into the condition of senator, the consul and the tribunes of the people might have scrutinized his conduct; and this motive, perhaps, urged him to commit a crime against his country, and to cause himself to be nominated perpetual dictator. The whole nation, exhausted by the continuance, the rapid succession, and the cruelty of the civil wars, saw no expedient left but to submit to an absolute master, that is, to one of its seditious citizens whose courage and

and dexterity had subdued the greatest number of individuals. Cæsar subjugated Rome to veil his first errors ; he absolutely changed its destiny, and, alas ! for ages. The greatness of the Romans consisted heretofore in the love of liberty ; it now sunk into the servitude which seeks to approach the throne, as the only road to dignity, to riches, and to favor. Thus public spirit either degenerates or improves, and admits no middle station. The whole art of the legislator, therefore, consists in keeping alive this sacred flame, the extinction of which he ought never to allow.

Cæsar, who, in forming the dynasty of the Roman emperors, founded the most grievous and shocking despotism, fully merited death ; and his memory, notwithstanding his superior genius, must be eternally odious to every man whose soul glows with the love of liberty and of his country, or nourishes the slightest regard for the dignity of human nature.

What did the world behold after Cæsar had overpowered the senate ? A whining tyrant under the name of Augustus, and shortly after the reign of a Tiberius. The government quickly became despotic, and nearly similar to that which is now established in Turkey. A licentious military force elected and deposed at will.

will. The meanness and submission of the senate were at the lowest pitch. The only shadow of authority which it still retained, was exercised in revenging upon the people the insults and vexations it received from the emperors. Finally, all the springs of government being destroyed, the empire was divided, fell in pieces, and became the prey of the first barbarians who deigned to attack it.

The observing eye, in recurring to causes, will discover the ruin of the Roman empire in the single but egregious fault of Romulus, the admission of hereditary nobility, and the founding of a patriciate, which divided the republic into two orders. The nobles and patricians could alone aspire to the offices of trust ; the senators, who held their place for life, could be drawn from that body alone ; and, as if they apprehended their power to be still insufficient, the patricians enjoyed, exclusively, the honors of the priesthood, and the rest of the people bore the name of plebeians. It was impossible but that the patricians, filling, exclusively as they did, all the charges of the state, forming the senate, and retaining in their hands the absolute control of religion and the auguries, means so efficacious in every superstitious nation, should continually endeavour to augment their

their power. The exclusive pretensions of this privileged order excited perpetual divisions, which were insensibly converted to the disadvantage of the people, notwithstanding their physical preponderance. The conquests of the Romans only increased the power of the nobles, and the subjection of the plebeians; lastly, when riches, those spoils of the world, had introduced with them luxury and corruption, patricians were found so powerful as to overwhelm the senate itself, and to annihilate its liberty. It was, therefore, the aristocracy which undermined and destroyed the proud government of Rome.

Such, in a few words, is the history of that famous republic; and ought it not to convey to us instruction? In an age when the minds of all men are turned to the science of government; at this moment when celebrated writers have pretended to show the advantages of an upper house, consisting of nobles and the grandees of the court; when there are still persons, who, for want of historical information, censure the wise and profound decree which abolishes hereditary nobility in France, I have thought it not unprofitable to demonstrate that this senate which some would establish, and this distinction of ranks which some would preserve, were, at all

all times, sources of trouble in the Roman republic, and produced, finally, its subjugation.

OF GREAT CHARACTERS, OR CATO THE CENSOR;
AND CATO OF UTICA.

IN political affairs, it is the character rather than the spirit which predominates. Without the glory of arms, great characters have even obtained celebrity, and essentially served their country. Each Cato was an example of this: both were inflexible, incapable of being corrupted, and intrepid. Cato the censor, the constant accuser of the granaries of Rome, was not to be impeded in his course by any consideration, and evinced his love for the public weal, and his hatred of the violation of the written laws. He persecuted vicious men; and, equally attentive to public affairs, never addressed the senate on subjects the least material, without winding up his opinion by these words: *and it strikes me, that the destruction of Carthage is connected with this measure.* Cato of Utica preferred before every other consideration justice and the republic, and entertained no hatred against men, but simply against the vices which sapped the constitution of the state.

It was Cato, who, at fourteen years of age, being carried by his preceptor to Sylla's house, and being there a witness to the tyranny which was exercised over his fellow citizens, was astonished at this tyrant's not being killed, and asked for a sword to stab him. *I am not afraid of him*, added he.

Strong in his virtue, he aspired to no dignity, nor did he make interest for any, till he thought it necessary for the public good. Always like himself, he divined the character of Cæsar, and followed him step by step into futurity with such astonishing precision, that, after the event, it was said, he had not foreseen any thing, but was the confident of Cæsar's secrets.

He was no follower of Pompey, but was one of his party, because it embraced the shadow of liberty. After the rout of Pharsalia, he endeavoured to revive the republic even from its ruins; he shut himself up in the city of Utica, but as soon as he heard of the defeat of Scipio, he saw no salvation for his country, and provided for the safety of all the Romans who had followed his fortunes; and when the last of his friends had embarked, he stabbed himself, and expired, after having torn away the dressings that had been put upon his wound.

These two great characters stemmed the torrent of the iniquities with which Rome was contaminated. Cato of Utica would have been a general worthy to oppose to Cæsar : he persuaded Pompey not to hazard a battle ; for this was the only resource of his enemy, whom he would have ruined by protracting time. He had given the same advice to Scipio. When we reflect that a series of the greatest political events depended on this counsel, we cannot help regretting that Cato obtained no better a hearing. The Roman republic would not have fallen so wretchedly, and the Roman empire would, perhaps, be standing at this day.

And was it not from the reputation of virtue enjoyed by that other great character called Brutus, that the conspiracy against Cæsar borrowed all its force and confidence ? In the event Brutus threw himself on his sword, while his wife, worthy of such a husband, swallowed live coals, that she might not survive his death, and the ruin of her country.

And did not Cromwell and Richlieu, and that second Richlieu the marquis de Pombal, owe every thing great that they atchieved to the firmness of their character ? We have had many men endued with rare qualities, but firmness

ness of character has been the desideratum of almost all our statesmen.

A determined character ! This is far more uncommon among the French than the man of genius. Why so?—There are things which we feel so strongly, that we disdain to express them.

Virtue acquires firmness from a sense of her own dignity, but great fortitude is necessary besides. We cannot deny here (for what is not done in our days to discourage every effort of virtue !) that attempts are made to rob her even of her triumph, by pretending to believe in no such thing: her generosity, her greatness of soul, her sacrifices, every thing in a word is called in question. A man behaves like a hero, and yet servile ideas, interested views, and flavish sentiments are attributed to him, because those who judge him are slaves, and entirely unacquainted with virtue. It is a misfortune to be born among men of such a stamp; but nevertheless, amid all the degradation of modern manners, we still possess a multitude of virtuous magistrates whose fortitude we cannot chuse but admire. Their patriotic voice seconds that of our writers, and effectually forms a representative body, that may be compared to the Chinese

mandarines, so much extolled in the history of that vast empire.

OF THE POLICY OF AUGUSTUS.

AS soon as the half of a nation can be brought to take up arms against the other half, the fate of the empire may be decided in one day. Thus the battles of Aclium and Bosworth determined in Europe the fortunes of Rome and of England ; and thus Guise was on the point of producing the greatest of revolutions in France.

But to reduce the great under the power of a house which most of them regarded some time before as only on a footing with theirs ; to subject all the different ranks of citizens, and this by means of laws, with the approbation of the larger part of the nation, and at least, with the respectful and silent consent of the other part ; this undoubtedly must be a stroke of policy resulting from circumstances, or it must be the work of great statesmen, who, like Augustus or Richelieu, knew what they may safely attempt, and divine what a nation will bear without danger to itself, or to him who shall strike so daring a blow.

Augustus

Augustus was actuated by the most refined and profound policy. After rendering himself master of the empire, he fully understood that it was his interest to retain the command of the army; but he was aware that this engine might recoil upon himself, if the legions collected together should acquire an idea of their own strength, and should find a General capable of gaining their affections.

What did Augustus do? He declared, with a seeming moderation, that the empire was sufficiently extended, and that consequently every idea of an offensive war ought to be relinquished. Nothing was required, according to him, but to guard the frontiers against the incursions of barbarians. In that service, he employed those ancient, those formidable legions, which were now dispersed in small detachments, along immense frontiers.

The army, being thus divided, was always under his control. He prevented its combination, and stifled the genius of its commanders, by precluding all opportunity of cultivating and displaying it, since military skill could in future merely consist in restraining undisciplined multitudes from passing great rivers, and in defending impregnable fortresses against barbarians absolutely ignorant of the art of war.

All the citizens had been obliged to become soldiers during the sixty years of the civil wars. Augustus enacted a law, of a spirit altogether contrary, namely, that no person should be permitted to embrace the military profession, unless for the defence of the frontiers, or to enter into the guards of Cæsar. He particularly favoured agriculture, which attached his subjects to the waste lands, and taught them to procure subsistence without bearing arms. The people derived great advantages from devoting themselves to husbandry, which was the principal object that fixed the attention of Augustus when he had acquired the possession of the empire. By this conduct, he encouraged marriage and population ; he banished warlike and seditious ideas, by securing the tranquility of the empire ; he became, by his wife and prudent measures, the true master of Rome ; and universal peace made him a despot in the palace of the Cæsars.

Although Augustus be boasted to have revived in Italy the golden age, it is reasonable to presume, that he permitted the people to taste the sweets and the pleasures which are the fruits of peace and abundance, the better only to extinguish in individuals every rash and dangerous spirit of enterprize. He employed the charms

charms and improvements of agriculture, continual diversions, and multiplied spectacles for the populace, as many sovereigns have since done, merely to captivate the nation, and fix the public attention on agreeable or trifling objects.

Those who cultivate their estates, who inhabit handsome villas or opulent cities, think not of civil war. Quiet enjoyment renders men sober, and readily convinces them, that it is much easier for them to improve their property and augment their riches by peace, than by a ruinous and uncertain war.

This it was that established on a firm basis the power of Augustus, that destroyed all equality between him and the rest of the nobility, and that will consolidate every authority, which, not passing the bounds of moderation, will thus become the stronger and the more respected.

It is by attaching men to cultivation and plenty, that the sovereignty will enjoy all its plenitude, and that a nation will be at once submissive and peaceable. This is what Tacitus so well depicts; *Cunctos dulcedine otii peplxit*: this is what Paterculus expresses; *Certa cuique rerum suarum possessio*.

Eadem magistratum vocabulæ, says Tacitus: the people are led by names. The titles of an-

cient offices should be retained. The people never examine things so deeply, as to perceive the alterations introduced, if the denominations be not changed.

Tiberius, who, under the pretext of treason against the state, and with the usual forms of justice, put to death the descendants of the patricians who had submitted to the yoke of Cæsar, caused no discontent among the Roman people. They confined themselves to the observation, that *the Senate* had pronounced sentence according to the law. Caligula, disregarding the law, simply commanded the guards to assassinate such of the patricians as had displeased him. Tiberius died peaceably, and Caligula was killed by a captain of the prætorian bands, while he was delivering to him the counter-sign of the day.

They are unskilful despots who determine to employ a military force without a pretext of law.

OF THE LIMITS OF AN EMPIRE.

OF what magnitude is the state the best calculated to contribute to the sum of public happiness? Empires of a vast extent are subject to dismemberment, while others fortunately confined

fined within more narrow limits, are still the more vigorous and robust.

Rome was doomed to fall beneath the weight of its greatness ; Spain, with its colonies, is exhausted ; and the Russian empire, though a country of slaves, will not stand a century and an half on its enormous basis. England has lost her colonies ; and time, independently of every other motive, would have sufficed to bring about a revolution. But a small state is always less happy in proportion than a great one. The tall trees of the forest absorb the juices of the earth to feed their spreading branches, while shrubs of humbler growth wither and decay.

The greatest political phenomenon that exists is the basis of the Chinese government. The emperor, it is said, has power of life and death over two hundred millions of inhabitants. What mighty central force can put so vast a machine in motion ? 'Tis an abuse of words ; this deposition, however virtuous, does not exist as we are taught to believe ; the thing is impossible. Two hundred millions of men do not obey a single man exclusively ; nor can I believe in the virtues of a people thus governed : they must be indolent, stupid, void of all feeling, or debased by superstition, to adhere everlastingly to the

fame

same customs and manners ; it is a nation *sui generis*.

But fourteen thousand lettered mandarines compose the instructing part ; and as they are all at one and the same time professors of morality, governors of towns, and members of the tribunals of justice, I can conceive that it is this enlightened body which averts the evils of despotism. Besides, the arbitrary authority of the emperor must be, and is, in reality lost, in the immense number of his subjects. He only retains the power of consolidating, by wisdom and justice, the distant members of this enormous political body : let us proceed.

A single acre of land sown with rice, will support eight Chinese peasants ; while in Europe it requires four acres of ground for the sustenance of a single man. Such easy means of subsistence must needs weaken the force of despotism, for agricultural riches will ever be the most powerful arms against tyranny.

The advantage of great states consists in this, that the government, which is generally rich, comes forward to the assistance of the society ; that it undertakes public works wherever public utility requires it ; that canals, high roads, and edifices are every where multiplied ; and that these

these enterprises, vast in their conception, facilitate communication, and form establishments conducive to the public weal. I know that the degree of confidence is not always that of prosperity ; but as soon as the play of the political machine is increased, the arts beget one another, and emulation, spurred on from day to day, soars to its highest pitch.

It is amid the movements of a great nation, that the industry of him who works, completely corresponds with the fancy of him who consumes. The action of government, by the connection of powers, promotes opulence. The various knowledge possessed by so many men, turns to the general account. Utility derived from things, is almost infinitely increased by the number of individual persons. A greater quantity of materials is employed ; and the variety of enjoyments produces at one and the same time the real and the fancied conveniences of life ; for to be masters of what is necessary and essential, we must possess that which is superfluous also.

The happiness of a nation, therefore, is what constitutes its power also ; and you cannot at this time, separate the former from the state of the arts, and the progress of human intelligences. Now, it requires a large territory to fabricate in abundance various articles ; and several en-

joyments can no where become familiar and common, unless among a very great number of men who hold with each other frequent and constant communications. Works of genius will not have their full scope unless when a large consumption shall be at hand to encourage useful and fantastic productions, which are in a manner indivisible. Both of these are become so many wants ; and, as they contribute to soften the rigours of existence, policy enjoins that every taste should be indulged, to give to the empire its highest pitch of prosperity.

A great state establishes with most certainty its physical preservation. The scourges of nature, be they as disastrous as they can be imagined, never attack it unless partially. War, famine, and the plague, are combated, and their fatal effects diminished, by vast and enlightened attentions, and by the junction of many efforts. The province which suffers finds aid in the neighbouring province ; while remedies and helps of every description, by which greater ravages are prevented, and losses sometimes repaired, are abundantly supplied.

A great state depends also on its mass, and defies the event of an attack : it may be penetrated, but cannot be subdued by hostile invasions. The French empire owes its permanency to

to its mass, by which its neighbours are without any great effort repelled. This kingdom exists in the very centre of the most vehement jealousies, and owes its security entirely to its extent. Now, the progression and increase of power, when a population is great, are considerable, on this account, that no estimation can be made of the quantity of means which can be created.

The scourge of war is, at least, constantly driven from the centre towards the extremities. The centre is tranquil ; and it is altogether improbable that a great empire can be suddenly divided and portioned out. It has a powerful resistance, infinite reactions, and vomits forth against its aggressors an immense quantity of arms and warlike stores, because possessed of an extensive territory. Before they can exhaust it, its enemies exhaust their own resources. It cannot be subjugated even by miscarriages : from its most concealed fibres powerful resources arise ; and when its parts are thought to be separated, and cut asunder, even then is such an empire regenerated.

Despotism, it is true, (and the same may be said of an unlimited monarchy, by which it is so closely resembled,) agrees quite naturally with a great empire. This, however, can only apply to an enlightened state of the community, when

when a great degree of knowledge is universally diffused, when a wise constitution is constantly spurned, and when little attention is paid to public affairs. But as the laws can never have a better established ascendancy, nor a more imposing majesty, than when their sway is exercised over an extensive and populous kingdom, it becomes a state, such as is now described, to adopt a good constitution of government: the great spring is lodged in its own bosom, and it can realize the powers which it can readily draw from the extent of its possessions.

Let me again repeat, that a happy political government is not formed of itself: it must be the effect of meditation, and the product of wisdom and sagacity. In a great state the foundations are laid with the greatest difficulty, since the science of the legislator must be proportioned to the extent of the population. All the present forms of government were formerly devised by nations of small extent. The progressive rise of kingdoms evidently produces an extension of intelligences; and the fundamental legislation, by comprehending a larger surface, requires better laws, a more dexterous administration, and more detailed views, because, in dominions of vast extent, those difficulties spring

up which would be scarcely felt in small or parcelled out territories.

There are, notwithstanding, certain bounds ; and when these are exceeded the overgrown states then become inert and sluggish, yielding of themselves like those long cords which are never stretched, and which constantly present a considerable curve. It was on this account that China was subdued by five or six thousand Tartars, that the Peruvians and Mexicans were exterminated by four or five hundred Spaniards, and that the immense empire of the Persians was overthrown by thirty thousand Macedonians.

These too bulky states admit of despotism, not by their nature, but because their respective parts are without communication, agreement, and activity, insomuch, that in the individuals which compose them, the human faculties are in a dormant state. Hence arises a gradual devastation, founded on ignorance, and maintained by the disunion of the parts.

But it does not follow, that great empires can be governed, to employ the commonly received terms, despotically alone. Every nation which neglects public affairs is punished by itself for the renunciation it makes : forgetful of its own strength, it surrenders its prosperity, instead of becoming,

becoming, as it might, a formidable body against which those who should be so rash as to aim a blow would perish in the attempt. When men, in a great slate, after having forfeited their own liberty by an abject submission to the prince, convert to their particular advantage the slavery of their fellow-subjects, that slavery presses with a double weight; and it becomes the just punishment of a cowardice which is the more culpable, because the effort to shake it off is easy in proportion to the number of men who support the opposition and accumulate the common disafflers.

The balance or equilibrium of Europe is a term not easily demonstrable, but which conveys an idea that at the least prevents three states of a certain extent from uniting against a fourth. To obtain its just estimation, it would be necessary to combine the secondary causes with the first; but as this is impossible, the political mechanism is confined to the preventing of the union of several states against one.

We have, therefore, a choice and salutary idea which effectually checks the concussion of empires; and without which, it is certain that a vast power, itself shaken to its very foundations, would not permit other states to enjoy their repose and their level. The idea of the equi-

equilibrium resists the destruction or too great weakening of any one power ; and although it be impossible to prove it geometrically, still reason makes the calculation.

Those nearly equal forces, which, although they are without a centre, balance each other, display to the imagination, still more active than our reason, by the idea of repose they afford, all the inconveniences that might result from the equilibrium being destroyed by a sudden shock and contention.

Thus, that which in any kingdom keeps up a particular order, (that is to say, the dread that the different bodies of the state should enter into a conflict with each other,) preserves Europe in a kind of repose ; and when an attempt is made to destroy this balance, ambition is alarmed, because it cannot estimate the final effects of the commotion.

Whatever can secure an agreement between all nations, does it even consist in the most romantic ideas, is essentially good ; and this observation may apply to all reproaches made collectively against large military bodies, and to all those detached phrases which are addressed, by way of final analysis, to men who certainly are not formed, at the call of such or such a monarch, to wage war against each other.

The balance of power is a phrase of modern invention ; but the thing itself was known to the ancients. The league of the Grecian republics, the jealousy Athens excited, the contentions between the successors of Alexander, the pretty equal divisions that were made after the death of that famous conqueror, and the weaker side supported by the weak, each of these facts separately, and all of them conjunctively, prove that the Grecian republics, whether by reason or by instinct, knew how to preserve a balance.

The Roman empire had, it is true, a prodigious extent ; but here again Carthage was the counterpoise of the great power.

Would not the most terrible danger to the human race consist in its finding itself exposed to the terrible and preponderating force of an universal monarchy ? Would not the master of so many kingdoms necessarily abuse his power, either by himself, or through his viceroys ? Would not a proud and despotic race, which would successively annihilate the liberties of Europe, spring up from this gigantic sovereign ? The house of Austria, so terrible to the universe, seems to have afforded a sample of the incalculable evils which universal monarchy would produce in the world ; so necessary is it that states should be limited, and that they should

should mutually dread each other, to the end that harmony may be displayed, and that public liberty may somewhere find a rampart.

Sovereigns possessing enormous territories can only be restrained by the dread of having their possessions attacked: they perceive, confusedly, that the breach, when once made, is the spark by which the fire may be propagated.

England has figured on the globe as a power protecting the general liberty of Europe; and in this point of view may be considered as the patroness of the human race. Had it not been for England, France, or perhaps Spain, would have acquired an ascendancy over Europe a century ago; and religious liberty at least would have been destroyed.

However chimerical the equilibrium of Europe may be, it supplies to each state a persuasion of its personal security. The little republics subsist entirely under the shelter of this theory; while it is extremely probable, that a general confederacy of all the powers of Europe would be far more injurious to the personal liberties of the human race, than those oppositions of state to state, which prevent the flux and reflux of nations, and establish the privileges of each principality on the basis of an equal resistance. Hence has the league of certain kings demon-

strated all the mischief which may result from that union which invariably bears hardest on the freer nations of Europe.

I am pleased at seeing small shapeless states enter into a full persuasion, that they either do, or can throw a weight into this balance, since the chimera which possesses them retards the torrent of a despotism provided with the most formidable weapons, and which might otherwise literally subjugate the human race, no matter whether beneath one or several hands, for with respect to the enormity of the disaster it is the same thing. It should here be noticed, that every state which has exceeded a certain proportion is prepared for despotism; and it is a problem incapable of solution, that the more men there are in a state, the more are they disposed to slavery. The central weight, necessarily augmented, instead of being a force purely defensive, becomes, through its very essence, first offensive, and at length oppressive.

That Europe may be made to form but one and the same society is an admirable speculation. But when a supernatural being shall descend from heaven, and take his seat on a throne, then, and not till then, I shall admit the necessity of destroying the system of that balance, which, notwithstanding the wars that result from

it,

it, allows a useful division to subsist. Slavery is most certainly not to be preferred to the horrors of combats, which, after all, have their truce and their termination.

I shall not speak of the balance of trade, a matter which leads to still greater errors, but which does not enter into my subject. Kings have made war on a large scale for commerce, the soldiers of the eighteenth century struggling with each other in the cause of merchants: and these very kings, forgetful of so many efforts made, and so much blood spilt, have afterwards strangled and harassed commerce within their own dominions. All this would appear inconceiveable, if a momentary cupidity did not banish the remembrance of more durable advantages: the fable of the hen that lay golden eggs, is the emblem of the policy of cabinets.

OF THE CENTRAL FORCE AND ITS RE-ACTIONS.

IN every government a central force is needed. If the public authority has not sufficient strength to bind equally all the members of the state, then is there an end of unity, security, and preservation. To confide such an authority to a single man, is converting it into an arbitrary

trary one, and argues the very height of infan-
ty : but this in reality very rarely occurs. Un-
limited power falls of itself ; and in the instances
when a merciless despot has capriciously put to
death a part of the society, he has only been
suffered to do so, because the society in general
has, for its *recept^o*, approved of the exercise of
his fangainly will. Thus was it with the
Dictator of Rome ; and thus it is with the
Grand Seigneur at Constantinople. The plen-
titude of power, granted, in crises of difficulty,
either to a single man, or to a small number of
the citizens, with a view of obviating the per-
nicious effects which might have resulted from
several opposite forces, has been considered as
little dangerous in its tendency. When the
peril subsides, the power of the despot is neces-
sarily diminished ; and the excesses into which
he had gone in the hour of public danger, gave
him no legitimate title to repeat them when
tranquility is restored. Where has a man been
found, at all times, mightier than a whole na-
tion ? every society has soon become conscious
of its surpassing him in strength.

Besides the conventions that are recognized,
the people make an effort to re-establish several
portions of their independence : the sovereignty
becomes mixed, limited, and tempered, because
rational

rational beings do not bestow on their chief the unlimited faculty of rendering them miserable. The degree of obedience has almost invariably followed the sum of general good bestowed on the nation ; and no one can at the bottom of his heart respect the sovereign power any further than it appears useful to him. Absolute authority is, therefore, merely a momentary usurpation, to which nations consent with the sole view of combating and destroying another tyranny ; but the danger being removed, the arbitrary power totters, and at length falls. The motives for refusing to submit to an absolute sway are then combined, and they soon triumph over every obstacle.

Through the whole extent of the globe one nation alone, the Danish, has bestowed an absolute authority on its sovereign. This extreme course, however, was resorted to by the Danes to shield them from the insupportable tyranny of their nobility ; and notwithstanding the king of Denmark is invested with the most formally absolute power in the universe, that government has not exceeded the limits assigned to temperate monarchies, so true is it, that when the citizens have made the most solemn sacrifice of their liberty, a portion of it is still retained by them.

Wise governments limit themselves to a power of a certain extent, and are sensible of the fatal consequences which would result from its being carried too far. Operations, vicious in themselves, are constantly directed by certain benevolent aims, without which they could have no existence. In Prussia it is a maxim never to augment the imposts; and in another military state, the most scrupulous attention is paid to the security of the subjects' property. Thus is excessive power tempered by certain excellent principles, inasmuch, that beneath the shade of great military bodies liberty sometimes flourishes. Impracticable as this may appear, it nevertheless exists for a certain time.

The sovereign authority, therefore, is never arbitrary, seeing that, besides the fundamental laws, an infinity of particular laws every where superintend the establishment of the order of justice. Unquestionably there are violences which sport with the life of the individual; but independently of the resistance made to these violences, the civil is merely transitory, and when the natural laws are violated, the destruction of the arbitrary ones follows.

The people will every where feel instinctively, that the government has been made for them,

them, and that they can new model it at their will, when, instead of being protected by it, it crushes them.

Despots have, for the greater part, perished by a violent death. The minds most happily disposed, despotism corrupts. He who is desirous to shun evil does not seek the power which may throw in his way the temptation; while he who governs by the law has, on his side, the force of reason and the consent of the people.

Nothing can be more sublime than this saying, of an emperor of China: *the famine of my people is my famine.*

There are vultures who prey on the most noble functions of the sovereignty. They are infamous traffickers of the most important places and employments, and distribute honours to those the least worthy of them. Nations, be assured, that the speedy downfall of these men is certain.

When the sovereignty is confided to a single man, it evidently behoves the sovereign to respect the laws, seeing that those intermediate bodies, in whose hands the promulgation of them, whether they be civil or criminal, is placed, enter under some denomination or another into the formation of empires. Every nation

tion absolutely deprived of the means of resistance would otherwise sink into slavery; and without being in the absolute possession of republican laws, the nation which has a body of magistrates, is sheltered from the ruder attacks of arbitrary power, because the magistracy can and ought, in cases of necessity, to entitle itself: *the representative body of the nation.*

As every citizen, when the country is in danger, is a soldier, so does every magistrate, when public liberty is attacked, become the depository and guardian of the national principles. In such a case, the enlightened part of the state, has a right, in the name of the state, to come forward in support of the laws: the object is no less than the salvation of liberty, and the privilege then resides in the danger. The laws of necessity are anterior to all others; and the reparation, not the simple investigation of the ancient foundations, becomes the question.— When the ties which attach us to our country are closely knitted by public reason, the form of government cannot fail to be good: where the reverse happens to be the case, an attachment to the state, and the good order of society, require that the citizens should, without delay, apply themselves to the restoration of the public fortune. The defection of the ancient bodies

bodies invincibly establishes the right of the modern bodies, and even supposing the latter the creation of yesterday only, still they belong to the country the moment they embark in her cause; for it is absurd to think that a nation either does or can exist without representatives. Let the word be proscribed—with all my heart; but the thing is not the less essentially necessary: it will again and again display itself until the last breath of political life shall be utterly extinguished.

Sidney observes, that civil war is not the greatest of evils. To reduce the people to such an excess of misery, of febleness, and of abasement, that they have no longer courage or strength to undertake any thing, is infinitely, in my mind, more calamitous.

We must not, however, confound those noble and generous citizens who seize on the precise point, the point of maturity for great revolutions, with those daring disturbers of the public tranquility, taken from among the class of worthless and insignificant men, who, as Montesquieu observes, are no other than incendiaries bellowing forth furious declamations which make no kind of impression unless on those who are as furious as themselves.

In states which have shaken off an arbitrary yoke,

yoke, man displays the highest degree of justice and energy ; and of all nations, the one which emerges from an abyss of misery, and which has purchased its liberty at a dear price, is susceptible of the liveliest sensations. There sophisms are no longer of any avail : the people wish for an equality of rights ; and every abstract consideration disappears. Temerity, folly, and deception are confounded ; while with one hand the citizen pushes aside chicanery and fraud, and with the other the fastidious promises of a masked ambition.

CHARLEMAGNE.

HOW truly great was Charlemagne ! And how majestic, among those of our other kings, was the physiognomy he displayed ! On the second race of them he conferred the glory of his name, and attached to France the grandeur of the rest of Europe. With what majesty was he invested, when he assembled at every point of the monarchy the States General ! He was the legitimate chief of a great nation ; and never before or since, has the throne been filled with so much dignity and grace. The states, composed

posed of all the orders, were themselves interested in the maintenance of the equilibrium; while, without the nation coming to crift, the authority of the sovereign was fully acknowledged. The people were an honourable family assembled in conjunction with their supreme administrator, whom their presence necessarily brought to a recollection of his duties, of those duties which, by their influence, he held dear and sacred. Heroism became to him an easy task, because he deliberated in the midst of an heroical nation.

O ! majesty which has no longer an existence ! Happy would it be if thou couldst be revived for the glory and felicity of a great nation, rendered deserving of so high a benefit through its courage and its learning ! In the reign of Charlemagne the latter was needed : we possess it ; and why ought the enjoyments which should result from it, to fly and keep aloof from us at so aweful a distance ? As much as any nation of Europe, the people of France are endued with manliness, generosity, and every amiable quality. But alas ! when shall we see all the rays of their glory united ; and when, in these days when they are so eminently enlightened, will the law, which ought to emanate from the na-
tion

tion itself, be endued with all its force, grandeur and effect?

It may now be said that reason, all its rights having been restored, is capable to make man think and act in a way deserving of his noble origin. Unquestionably, he ought ere this to have shaken off the yoke of the ancient barbarity, and the code of fiscal laws equally abhorrent. If the great prince who makes the subject of this article, frequently assembled the States General of his empire, it was less to gather information from them, than to enlighten them on his side, so fully persuaded was he, that knowledge and reason could not fail to contribute to the general weal. Every thing, however, having degenerated under his feeble successors, ignorance and superstition took possession of the whole nation, insomuch, that for entire ages, it was a scandal for a gentleman to know how to read. Here it may be asked, what was to be expected from an assembly composed of men whose minds were so utterly uncultivated, and the greater part of whom, became tyrants in their chateau and little cantons, vexed, harrassed, and oppressed the people? The little aid they afforded at that time was, undoubtedly, the cause why they became at length neglected, to such a degree,

that

that their meetings appear at one epoch to have been totally given up.

It has not been till very lately, that is to say, since letters have been cultivated with the highest success, and have dispersed among us the dark clouds of ignorance, that the States General could be rendered as useful, and as necessary through their intelligences, as they were formerly little so through their ignorance.

Ah ! at what time did France stand in so strong and evident a need to consult them ? * The system of Europe, changed for somewhat more than a century, has destroyed the equilibrium of several of the states which have happened to be the most exposed to the new system of politics. For all this mischief the States General may be able to find a remedy : enlightened by past errors, they have the capacity to remedy great abuses, and to redress ancient wrongs, as well as to re-construct the political machine, and give it a lustre altogether new. This task is not so difficult as many interested people are perhaps willing to find it ; and I do not hesitate to hazard the assertion, that I am persuaded of the possibility of its accomplishment, without

* This fragment was written before the meeting of the States General, which was the forerunner of the French revolution.

convulsion, without perplexity, and without trouble.

Notwithstanding I have no faith in constitutions rigorously determined, and although I distinctly perceive variations which sometimes approximate monarchy to the republican form, and at others give the latter the stamp and consistence of a monarchy, variations which bestow an equipoise on the different authorities of governments, still am I firmly persuaded that a nation ought to recur to its primitive constitution. So universal is the wish for the convocation of the States General now become, that the ancient franchises must and will resume all their vigour, it being no longer possible to interrupt their course, more especially when the greatest of all evils are to be remedied. An assemblage of all France, composing a beneficent and majestic authority, enriched by the progress of knowledge, and again wedded, if I may so express myself, to its sovereign, would be of infinite advantage both to the monarch and the people.

The national meetings have at various epochs regenerated the kingdom. Unless for them Charles V. would not have obtained the succour he so much needed, to put him in possession of his rightful inheritance. That intriguing woman,

man, Isabella of Bavaria, combining her mischievous plans with the calamities of the reign of Charles VI. left to Charles VII. a deplorable succession: here again these assemblages interfered, put things on a prosperous footing, and dissipated the factions of the Dukes of Orleans and Burgundy.

It is true, that during the intestine religious wars, the states general favoured too strongly of the dogmatic spirit of the ages of ignorance; at that time, however, fanaticism exercised an unbounded sway over men's minds. Now that patriotism is enlightened, and applies itself to interesting objects, the resources ought to be sure and prompt, and the axe laid to the root of every evil. The remedy, as it strikes me, resides in the elementary principles, seeing that a nation assembled to discuss its own interests does not act against itself, and is grand in whatever it undertakes. If Richelieu sacrificed the rights of the nation to his despotism and his imperious will, it is at this time demonstrated, that arbitrary power is as dangerous to itself as a reasonable and justly balanced power is strong in its wisdom and moderation.

Superstition has countercrafted the advantages which ought to have resulted from several of our National Assemblies, the shades of fanaticism

cism obscuring every idea, which it rendered false and puerile. To that dark time an enlightened period has succeeded; and it now only remains to concentrate the scattered rays, and to form them into a luminous pharos calculated to secure the vessel of the state from the shoals and quicksands by which it is surrounded.

Let me again ask what really salutary law could be expected from the assemblage of the nation, at a time when France was divided into a multitude of states, possessed by those who were called the *ligh vassals*? The states general appear to have terminated their political existence towards the commencement of the last century, that is to say, at a time when the old leaven of civil wars, joined to that of the ambition of the grandees, as well as the discord which then prevailed among them, was still in a high state of ferment: it was less for the nation, than for discontented princes, that the resolution to assemble them had been formed.

Those unhappy times are now no more. The sovereign power supports itself by its own weight: the tyrannical spirit of the feudal laws has disappeared; and the monarch and the nation are essentially but one. The indivisibility of their interests, in effect the same, is universally acknowledged, and the love of the general

good

good is now the only passion which would preside at the assemblies of the nation. Is it not, therefore, full time that this fine kingdom should enter into the possession of the benefits which reason ought to restore to her ? Is it not time that every ancient trace of barbarity should be obliterated ? The point of unity, the central point of all the provinces, being absolutely the same, it is just that they should also have but one spirit, and should, by the same effort, concur in forming an union at this common centre. Lastly, the rights of the prince, of the country, and of each individual, being fully appreciated, these may be established on a solid basis, and the general good undisturbedly fixed. In the midst of the assembly of the states general, the purest and most disinterested patriotism, capable of the most heroical sacrifices, might, at length, clear away the burthens of that royal coffer stored with calamities which renders a king a kind of perpetual beggar, and which calls for those afflicting edicts that oppress his heart. The monarch, now liberated, might obey those generous emotions which have restored to several sovereigns the love of their subjects : he would be no longer during his reign a collector fatiguing himself with satisfying the old and innumerable state creditors : he would again

become a *king*. But this regeneration, so important and unlooked for, can be the work of national generosity alone, and not until France, that magnanimous nation, shall meet its sovereign face to face. The latter will never be so great and so respected, as when, fully invested with his august functions, he shall cease to bear the name of *debtors*.

HUGO CAPET.

WHEN Hugo Capet ascended the throne, the vassals made conditions with him so advantageous to themselves, that they no longer were put to any public task without receiving a pay from the prince. The services of some of them were confined to forty days; and those of others limited to twenty-five, fifteen, and even five days.

The policy of the fiefs was introduced: it divided the kingdom, and plunged the French into a horrid state of barbarism. Was this a monarchical state?—No; France, split into a thousand little sovereignties, became the theatre of an infinity of individual quarrels. Where was then the monarch? and where the monarchy?

narchy ? They had no existence ; and would it not be the very height of absurdity to revive at this time that deplorable aristocracy which corrupted both the civil government and the military discipline, and which was the source of so much trouble to the successors of Hugo Capet, who unremittingly laboured to destroy this form of government ? It had no resemblance whatever to that which now flourishes ; and when the ideas of a proud nobility carry them back to that time, it is the same thing as if they were to aim at the destruction of the physical identity of an individual : for governments have their political identity, and the national interest opposes these pretensions, which are as vain as proud, but would not on that account be the less calamitous if carried into effect.

Whence arises the extreme difference of power between the kings of France and England, when these two governments spring pretty nearly from the same source ? From hence, that at the time of the conquest of England, the king subjected all, whether great or small, in so much, that the nobles were obliged to form league with the third estate. In France the king found his equals, whom he repeatedly combated, and did not subdue till after a considerable length of time, and after encounterin

many difficulties. By the remains of that ancient regimen we are still oppressed: it has been the aim of the noblesse to re-establish their obsolete rights; and they have kept at an equal distance from the monarch and the people, alternately harraffing each according to circumstances. It would certainly be advantageous to the king to form a league with his people; for with them he could not fail to be more powerful, than with those turbulent noblesse who sell their services so dear, and who make a trade of adulation, meditating an opportunity of reviving their ancient prerogatives.

In France the people have therefore to suffer both from the feudal regimen and the abuse of royal authority. The nobility, in England, having made one common cause with the people, the constitution of the kingdom has necessarily confirmed the original contract, and civil and political liberty has found its asylum. This was the result of circumstances; for this happy equilibrium could not have been discovered by all the sagacity of genius. It must be looked for, not from the limited views of man, but from that happy concurrence of events which providence affords to all nations. Wretched will be the lot of those, who, careless of the operations of civil society, shall allow the causes which

which might have regenerated their empire to slip by, and shall afterwards unavailingly lament their error, when they have fallen into an incurable state of political slavery !

The fiefs and their policy have desolated Europe. It appears to me that the greatest misfortune has resulted from these Gothic shackles having been torn off in part only, and the work of their entire destruction not completed. The estates have preserved a great number of abusive and injurious rights which have been incorporated with the national laws ; and hence that barbarous mixture of an absolute monarchy and an hereditary aristocracy. The latter has given rise to that order of noblesse which absorbs the nourishing juices, and which, like the ivy, strangles the tree it embraces.

The nobles are not the tie which unites the sovereign with the people : they, on the other hand, disunite them. Neither are they the support of the throne ; but the aggregate of the society might be rendered so.

The feudal system springs from the manners of a barbarous and wandering people ; and by them the result of these manners was preserved after the conquest. This system had some advantages suitable to the time ; but being blended at this period with the monarchy, it gives birth

to a form of government which wounds the people on both sides. After having satisfied the sovereign, they must still satisfy the avidity of the noblesse ; and what is at least as insupportable as the pride of the latter, the people are driven to entertain a wish that the monarch may be put in possession of a still greater authority, such as may place all his subjects, without distinction, on the same footing.

OF NATIONAL CHARACTER.

IN general, every law which shall not have been framed according to the national character, will prove abortive, and will occasion disturbance. How can a legislator alone withstand his nation ? If he still undertakes to restrain a licentious people, let him avail himself of that very licence ; for example, would it not have been ridiculous to have proposed the laws of Sparta to the Athenians ? The most enlightened and most polished despotism would not even suffice to overturn suddenly a national licentiousness. It is requisite that insensible changes should give to the legislation a particular vent.

Agis, king of Sparta, whose crown and whose virtues

virtues were respected, endeavoured to re-establish the ancient laws without first appreciating the force of resistance, and that of the obstacles in his way. He was tried by his own subjects, and condemned to death, because it is not the part of one man to contend with a whole nation.

The sovereign cannot suddenly change the form of the government the reins of which he holds. He will overturn the state sooner than modify it.

The great work of a new legislation requires time. The national characteristics must be first changed; a new turn of thinking, a different mode of feeling and acting, must be infused among the people, to smooth the way, and dispose them to an obedience neither laborious nor constrained.

Policy will in vain sign treaties, will endeavour to unite or disjoin, since every union is founded on the exact resemblance of manners and customs. Domestic education, perhaps, forms citizens with marked shades of diversity, on this account, that customs are invariable only so far as they are connected with habits. Every man in private life indulges peculiar habits, and such as are detached from the state. Hence the English colonies, politically separated from the mother country, will hereafter unite

by

by an immediate contact, that is, by commerce.

Lycurgus, whose laws astonish us, had only to confirm the customs supported by the strongest habits. The institutions were then all founded on the equality of sentiment, of condition, and of corporeal strength. Lycurgus merely united the state of nature to the civil constitution, softening this rude nature by the order of social life.

This great legislator could bestow these laws on a state alone limited to a small number of inhabitants calculated to receive them ; otherwise the rigor of such a legislation must have produced evils of great magnitude.

He could not have prevailed on a great people to retrench every call of luxury and effeminacy. Already was the life of the Spartan spent in military exercises ; frugal and laborious, he was enured to every sort of fatigue. Lycurgus easily expelled gold and luxury from a country where they had not yet taken root.

A nation which possesses nothing but its manners, embraces readily the destructive life of avarice and of effeminacy. That famous constitution comprehended also the Helots ; and Sparta might consequently have incurred the reproach cast upon Rome and Carthage, which often

often were under the deepest apprehensions from their slaves. But the Hcolots, born in the bosom of slavery, and therefore formed to the yoke, seldom attempted to revolt ; because, perhaps, their masters were less terrible than they appear to us to have been.

WHAT IS THE HAPPIEST NATION.

IT is an important question to solve, what nation was ever the happiest ? It may be answered ; That which was most enlightened, which was acquainted with the arts that nourish and comfort life. A nation is an aggregation of men : when this nation prospers, when it has banished an odious administration, despotism and tyranny, and has established individual liberty, it possesses a character of force which communicates itself to each member of the society ; it acts with dignity. Such at present is the situation of England ; the originality of that nation, its political contentions, and its impetuous passions, prove all of them a source of enjoyment. Despotism is adverse to the felicity of a people, only because it extinguishes knowledge : it is in the darkness of ignorance that

man

man is stript of that precious liberty, the absence of which sinks him almost to the condition of a brute.

Despotism has its full sway in those countries alone where the arts have not yet reared their heads. View Africa, which has always been subject to despotism, and the whole of Asia, which has never had any masters but despots : in these vast regions the arts and sciences slumber, and the minds of the inhabitants are feeble and wretched, because they are unenlightened. Behold the centre of Europe : despotism was never able to fix its seat there ; the people would vigorously resist a throne terribly filled, nor would they submit to see their blood wantonly shed. Republics still contain the men best informed on their respective rights.

The period at which Greece, so renowned for her arts and sciences, flourished, was when she reckoned most great men in every profession. The bright days of the Roman government were under Augustus, under Titus, that excellent prince, the darling of the world, and under Marcus Aurelius ; every enjoyment was then bestowed on the people. Follow history, and behold every where the reign of the arts enfeeble the strokes of despotism, undermine, and destroy it. The Arabs themselves, distinguished by

by their talents for war and for letters, defended liberty ; and the Christian religion, which may be regarded as a new luminary descended upon earth, has, among many nations, loosened the bonds of slavery.

What destroyed the peace and felicity of the nations that recovered by degrees the pleasures connected with the cultivation of the arts ? Was it not the inundation of barbarians from the north who overspread Europe with terror and superstition ? They destroyed the monuments of the arts, overturned the Roman empire, where men respired with some portion of dignity, and drew after them scourges worse than death,—error, superstition, and rude laws. They substituted monstrous laws of polity to that majestic code of the Romans which wisdom had dictated. Europe was depopulated, and those odious tribunals arose of which the very name affrights innocence.

The return of the sciences could alone mitigate so many evils. The east restored them to the west, from which they had been long banished. When this beneficent light shone forth, whole nations opened their eyes, and broke the yoke under which they groaned. As the illumination of knowledge increased, so the oppression of individuals disappeared.

The

The constitution of free states is the result of that application of thought which has banished barbarism and narrow and ferocious ideas. Philosophy has founded the independence of America, and all nations have applauded that great example. Just and moderate governments have been formed by books. Liberty has appeared even in several military governments, because the power of the sword was restrained by public reason, and the vigilant remonstrances of the citizens.

The lights of knowledge have created a new order of things ; people enjoy more prosperity in proportion as the ties by which they are united are more closely drawn. The arts have established that precious communication which makes all Europe now take a concern in what passes at Vienna, at Madrid, or at Paris. A political transaction is no longer confined to the spot where it passes ; it has an extended influence, and no nation remains indifferent to a public injury done to another nation.

Those prompt ideas which afford nations a communication through the constant advantage of the press, are at present the surest ramparts of individual liberty ; and glory and shame, having each a trumpet in its hand, hover over the thrones of Europe, and pour forth praise or blame

blame on the crowned heads that cannot controul the public opinion.

The redress of the injuries done to nations will be obtained by that vigilant voice which is on no occasion silent, but examines and judges each transaction. Behold England, which by its lofty spirit and its detestation of arbitrary power, restrains proud despotism, and seems to invite Europe to imitate its conduct. This living example supports dejected minds ; and every citizen turns his eyes upon that nation.

See if republics are not more enlightened than small dependant states. The Helvetic body owes its form, its peace, and its security to wise laws profoundly planned. Liberty has given those states a weight in the scale of nations which they could never have attained, if knowledge had not pervaded all ranks.

How did Frederic govern his kingdom ? By the superiority of his genius, by his knowledge of men and things, by his love of the arts, and by the distinction which he bestowed on them. He excelled in tactics, as he had a talent for wit. If prejudice be the radical vice of nations, Frederic knew to extirpate it ; and, with one glance, he discovered that the field of the agreeable arts, well cultivated, will, at the same time, produce, in all their perfection, those terrible

rible arts which put in action the engines of war. It required his abilities to perceive this intimate connection ; all Europe has beheld his success.

What is wanting to the splendid but feeble monarchy of Spain ? It is universally admitted to be sunk into languor and decay : like a leaf of metal it has lost in thickness what it has gained in extent. The arts alone can restore to it solidity.

Does not the Ottoman empire feel it necessary to awake from its lethargic slumber ? Does it not invite from every quarter the arts which will restore its strength, by binding together the different parts of that empire ? Barbarism has enfeebled the Turk, but the adoption of new ideas will confer on him a new vigor.

By what talisman was the success of Russia effected ? That empire slept remote and unknown : but when the leaven of the arts quickened the dead lump of animality, it displayed all its force ; it took an active concern, and obtained a mighty influence in the political affairs of Europe. The Russians, dexterous imitators, only imported a few Frenchmen, and suddenly shook off the yoke of preceding ages. Though the bulk of the nation was rude, the head was enlightened,

enlightened, and conquests have shed lustre on a nation unobserved a century before.

We cannot resist feeling the influence of the arts : whilst on the one hand they bestow grandeur on a nation, they give to each individual on the other hand, a greater sum of liberty and prosperity.

That nation is the happiest, therefore, which contains the greatest number of intelligent men, diffusing the knowledge necessary to civilization.

COMMON ORIGIN.

NEARLY all governments have had the same origin ; they have arisen from national assemblies, held either for civil affairs or military expeditions.

The changes which take place in the constitution of monarchical states, are invariably connected with the augmentations of power acquired by the executive authority.

The French nation had its diets and its states general when its population became augmented and it occupied a vast territory. It confided to the king the charge of convening the states, and that of directing them to the clergy and nobility, to whom were annexed the deputies of the third

estate. The monarchs insensibly and purposely neglected the convocation of the States General.

In France, the absolute power of the sovereign is owing to the great domains held by the crown. Scarcely had Lewis XI. annexed Burgundy to France, than the French monarchy underwent a sensible change.

The junction of Franche-Comté, Alsace, and the states of Flanders, under Louis XIV, completed the absolute authority. The Spanish monarchy experienced the same fate under Ferdinand the Catholic, Charles V, and Philip II. The second of these, at once emperor and king of Spain, subjugated Germany by Spain, and Spain by Germany.

The kings of Sweden, after their conquests obtained over the Germans, Poles, and Russians, were, for the first time, invested with plenary authority. Did not despotism, in England, make the greatest strides during the reigns of William the Conqueror, Henry II, Henry VIII, and James I? It was, because these princes were, by their considerable acquisitions, enabled to overawe their subjects.

There are prejudices which, by their antiquity, and with the aid of certain imposing words, seem effectually to have usurped every right. Of this number are the fantastic ideas entertained

entertained on feudal government, which owed its origin to the little communication at that time kept up, and to the poverty of the arts : considering the ignorance which then prevailed, the system was certainly not bad. In proportion, as the number of particular societies was augmented, with the greater difficulty were they oppressed. This state was not the one the least conformable to human nature, to tranquility, and peace.

The feudal government has had its prosperous days, its majesty, and its force. It was wedded to universal ignorance, which is not, like error, dangerous ; and was adapted to ages in which the arts and sciences, but little advanced, had not yet established communications between empires.

But have not these modern communications produced extraordinary convulsions in our time ? How many of these have they not given rise to, to unite states which were heretofore disjoined ?

Since the discovery of America, have not the affairs of that continent thrown into confusion the old world, which was quite sufficiently engrossed with its own agitations. The feudal government was in itself, abstractedly considered, extremely imperfect ; but for the ages

in which it prevailed, it was a *chef-d'œuvre* of reason and policy. The dispersed and fortified chateaus served to divide and protect a multitude of individuals ; and, in the mean time, the mass of population was preserved unshaken.

It may, perhaps, be said, that France has been freed from heavy calamities, by the union of her provinces under the same dominion, which has prevented their waging war against each other. But does not war draw from these very provinces a multitude of soldiers who are sacrificed on the frontiers ? Heretofore they died for interests with which they were acquainted ; they now expire for interests to which they are strangers. Is it not demonstrated that too extensive an empire is not less fatal to man than a multiplicity of small states ?

In general, men are happier in states of a certain extent ; and particular societies are more perfect when the part which governs can make its authority be every where felt, and can correct every abuse. States of this description are not exposed to those ruinous revolutions, the usual crisis of polity, which incessantly harrafs too extensive states, unremittingly engaged in the same projects.

An empire may be overthrown without any abatement of the public felicity. A conquered territory

territory which preserves its manners, its laws, and its property, feels no other change than that of the name of a new dynasty.

That the people should have no right to a voice in what regards the public weal, would be contrary to the order of things; for what would a nation be without representatives? The great testimonial of the liberty of the French nation resided in the assembly of the States General: but that which is adapted to one age does not suit another. At this time the higher ranks of the clergy are altogether made up of nobles, and by this means the two orders are so effectually blended, that the third estate is in a manner absorbed, the number of the individuals who have votes in the assembly, not being proportioned to the grandeur of the nation and the majesty of its rights. The ancient composition of our States General would be at this moment extremely defective, because the representatives of the people might be readily subdued by the league of the two higher orders.

The bulk of the nation not being able to appear in this great assembly, another mode of voting must be fallen on, such as will be more favourable to public tranquility and the interests of the people: the latter will otherwise be irrevocably lost by the weight of the gothic forms,

with which the nobility and clergy will most unquestionably oppress them.

In a state in which the power of the sovereign predominates, how are the people to vote in such a way as that the public opinion can be estimated ? They are impelled, as it were, instinctively, to support in their magistrates the right of making remonstrances, that is to say, of judging in a certain degree of the goodness and justness of an edict : and here the magistracy is not simply passive. According to the people, this right of remonstrating originates in a trust bequeathed to the parliament by the latest States General ; and they constantly flatter themselves, that they are present at the operations of government, so long as the magistrates, the daily interpreters of their wishes, can influence whatever regards the public weal, by the force, concert, and free expression of their sentiments, conveyed to the foot of the throne through the organ of the parliaments. The French nation, notwithstanding the obscurity in which the origin of its rights is enveloped, has appointed the magistrates its representatives ; and the interests of the people demanded that this representation should be efficacious in its fullest extent : there would otherwise be a disguised slavery in the institution of the parliaments, which, become mute and passive,

five, would be spectators of the highest political disorders without elevating their voice, or at least without attesting the danger of the commonweal. Thus are these national and popular tribunals at once a check on tyranny, and one of the most solid ramparts of public liberty.

It follows, that the attacks made on magistracy, are so many attacks on the people. The latter have been sensible of the necessity of having representatives, by whatever appellation these might be distinguished, until they could fall on a better mode of protection.

To this public and patriotic voice, let an addition be made ; it will be so much the better. Let the sovereign call about his person virtuous and enlightened men ; this will become an extension of the legitimate tribunals. The assembly of notables, in 1787, evinced by its zeal, intelligence, and patriotism, that the nation can pronounce with wisdom, and act with dignity ; and that every kind of knowledge, as well as all the virtues, may one day emanate from its bosom. The statue of Praxiteles is in the block.

It appears to me, that the bad form of the French government has arisen neither from the fundamental laws, nor from the temperature of the climate. It was not originally what it is, nor could it have been so, since in such a case it

would have been utterly repugnant to any idea of an equality of rights among individuals.—Little accidents, which could neither have been foreseen nor repaired, have insensibly undermined the French constitution, into which abuses have gradually crept from a very remote period ; and these abuses have been assimilated to the passions of those who possessed any share of authority, producing in the issue very strong shades of difference. Hence have sprung the infinite variations which have rendered it so difficult to apply a remedy.

Custom is far more dangerous than a bad law. The latter falls of itself, while the former, inherent in the nation, does not always afford the consolatory hope of its annihilation being brought about ; and when, in this chaos, it is necessary to combine new laws, the efficacy of which is always uncertain, with old laws replete with vigour—when it becomes expedient to unite the ancient genius of the nation with new maxims, and to spare certain privileged abuses while others are attacked, what can be accomplished without the national genius, that is to say, without the will which endures for ages, while kings pass away ?

Where are the guides who shall fix on the remedies to be embraced ? I can take upon me

to assert, that the body which governs will find itself under the necessity of listening to the part which instructs, because it will then have need of a great fecundity of small means. The enlightened portion of the society, gifted with every human intelligence, would certainly find it an easier task to conduct by its precepts a new, rural, and simple nation : but the very age of the nation in question, its vices, its opulence, its inherent prejudices, its origin, every thing, in short, points out that it is not to be created afresh, but to be preserved and maintained under the shelter of certain modifications.

The egotism of professions would be in itself an almost insurmountable obstacle, if men's minds were not sufficiently prepared for the changes to be introduced. Each of these professions forms a small republic which makes itself the centre of every idea, and pertinaciously adheres to principles whether they be good or bad : it persecutes whatever thwarts its ancient and predominating prejudices ; is intolerant towards that which deviates from its principles ; and raises a confused outcry, which, to a certain extent around, obscures the truth. As these professions merely aim at the advancement of their own particular interests, they never embrace

brace general ideas ; and they thus nip in the bud each patriotic subject.

It behoves the statesman to subdue those puerile difficulties which embarrass him more in his progress than the most serious obstacles ; and the moment when he can strike his blow with security ought to be the object of his particular study. It will not be his best policy to exhaust all his efforts on such small abuses as ought to fall of themselves : he should rather reserve his authority and his might to overturn, by degrees, the viciously constructed edifice, the unexpected and sudden fall of which might otherwise involve in its ruin each surrounding object. It is thus that the statesman ought to act, and not to allow his attention to be engaged by trifles. A single blow carefully meditated, and prudently timed, may prevent many needless repetitions of the stroke ; for in politics it is expedient, not to tear slowly, but to cut with firmness.

In the administration of the statesman, the most dangerous quality of all is pedantry, or in other words, that obstinacy which, where an universal agitation prevails, will neither retract nor concede ; which is ignorant that it is sometime expedient to relax the springs of government ;

ment ; which will grant nothing to the passions ; and which, incessantly engaged in barren and fruitless reasonings, deceives itself, and for want of knowing how to temporize, changes nothing for the better. This pedantry will be frustrated in all its plans : it will sink under the force of its measures ; and will be at once hateful and ridiculous.

Learning is the true buckler against despotism. When in the time of their caliphs, the Arabians cultivated the arts and sciences, they lived under a milder despotism than that of Persia ; but when they again sunk into ignorance, the ancient severity of their government was resumed. The encroachments of power constantly increase in an inverse ratio to talents.

As the most stupendous mountains spring up from a barren, stony, and desert soil, so does superstition take root among nations, in which there is an entire void of ideas.

The part which is governed submits voluntarily, provided it does not see the reins by which it is guided : it loves not to feel the hand which directs it. Its submission, while it appears voluntary, is profound ; but it is untractable as soon as it perceives the shadow of violence.

Can a nation be so aptly guided as by its own ideas, which it cherishes so dearly ? The reason,

son, perhaps, why in our governments we have done so little with such very great efforts, is that, neglecting this infallible mean, we have too seldom swayed men by reason, of all impulses the most powerful.

How happens it that a statesman does not see in men reasonable and sensible beings, capable of receiving ideas of every kind ? And on what can so strange an opinion be founded ? How did he contrive to distinguish himself all at once from the general mass, and to forget so suddenly the interest of the people, in the number of whom he is himself, as well as his friends, relatives, and cotemporaries, unquestionably comprehended ? How strange that he should be insensible to public favour, to that sweet renown which should every where perfume his passage, should satisfy his heart and his eyes, and effect the happiness of all that is dear to him !

The elementary idea of justice is attached to the soul of man, to whom the natural law is revealed. Entering into a communication with reasonable beings like himself, he can hold such an intercourse by concord and justice alone : if he is desirous that his neighbour should respect his field, he also must respect that of his neighbour.

The moment that a relation subsists between
two

two beings, justice is established : it is a reciprocal right they have over each other.

As soon as this relation ceases, there is an end to all feeling and sensibility. Man destroys the animal as he hews down a tree, because, between the animal and him there is no relation whatever. Nature has ordained, that the human race should feed on the ox and the herring, because no obligation can subsist between these species and man.

CROMWELL.

CIRCUMSTANCES arise that require a government to be new-modelled. The right of innovation then belongs to him who is endued with due genius and courage for such an enterprise. It is a mutilated statue which must be thrown into the founder's crucible. The new proportions are at the disposal of the man who directs the cast. Of this, Cromwell is a recent example ; he perceived what would best suit his country.

When the load of servitude has hung for ages upon a nation, if at last it happily obtains liberty, we may rest assured, that it will long enjoy the blessing without abusing it.

The

The case is different with republics. Liberty among these is liable to abuse ; and the most glorious period of a nation is not after it is free, but at the moment it breaks its chains.

People forget the forms of government their ancestors instituted, when they committed their destiny to those who, by their genius, influenced the times in which they lived. This facility of temper gives birth to despotism ; whose nature it is to increase perpetually until it be checked. But sooner or later the people, with a proportional resistance, will destroy the exuberance of power : the balance is again restored and the moments of violence are usually few in number, and affect only a portion of the society.

Observe in history the people, on some proud day of revolution, treat the despot as he did his slaves. He cut off their heads, his own is laid on the block.

Nations are not dastardly, but they wait for the moment of insurrection, they wait for an avenger.

When in the vast circle of events, there occurs a person fitted for revolutions, the people finish what was already begun in men's minds. But sometimes they blindly deliver themselves to tyrants more dangerous than the one from whom

whom they escaped. They care not ; they glut their revenge.

When a man, like Charles I. weak and obstinate, clashes with a Cromwel, one of those rare personages whom nature has formed to win, to subdue, and to command, it is the collision of two rapid but unequal bodies ; it is the fortuitous shock of a tremendous comet against a humble planet. If the Cromwel does not perish, the Charles must lose his head.

Guise opposed Henry III. ; and Henry III. had, only by a few days, the start of Guise ; otherwise, Guise would have acted in France the part Cromwel played in England.

There are occasions when the hands entrusted with authority may, and ought to employ a virtuous despotism. If a great evil is to be repressed, if a plan favorable to the happiness of a people is to be laid, the noble exercise of power then belongs to them exclusively. But those who are truly actuated by a sublime motive, prove at the same time the fact that they are thus actuated ; they suffer no delay between the enterprize and the benefit which is the result of it.

Thus, many revolutions so loudly censured in their origin, have only restored to government its force and liberty. There is hardly a civil

civil war the event of which has not been salutary : seldom does a nation revolt to fall back under despotism ; the times of commotion and trouble prepare tranquillity and repose for succeeding generations.

FALSE COMPUTATIONS.

POLITICAL calculations are erroneous when founded on the extravagant idea that modern states are a *patrimony*. The European system is deranged at the very time when the greatest efforts are made to prevent a *preponderance*. The heiress of Burgundy could not be deprived of the power of *bequeathing* her kingdom to the house of Austria ; nor could Charles II. be prevented from *leaving* Spain to the duke of Anjou. There still subsists an agreement of fraternity and succession between the house of Brandenburg, that of Saxony, and the Landgraves of Hesse.

Lorraine and Corsica annexed to France ; Parma acceded to the house of Bourbon ; the duchies of Tuscany and Mantua to the ambition of Austria ; Scotland, to that of England ; a part of Poland, wrested by its neighbours ; Courland

Courland and Dantzic threatened ; the duchy of Holstein yielded up to the king of Denmark ; the vast estates of the Palatine family destined to a single master : how shall we calculate the counterpoises to such unexpected arrangements ? Politics must change with events ; a bomb is fired in Spain, it bursts at Rio-Janeiro ; the disputes on the Danube will carry the flames of devastation into Naples ; and the adjustment of the boundaries of Nova Scotia will devastate Mecklenburg. The war of Corsica was decided, it is said, by a *joke at supper* ; and the alliance of two powerful monarchies was brought about by the resentment of a minister to a great king, who, in the file of Boileau, had introduced into a *couplet* the name of a cardinal at that time an abbé.

Republics are not more exempt than monarchies from these sudden changes. The little concerns of courts become political affairs, and these affairs sway the world. Thus the quarrel of two women procured to Europe the peace of Utrecht ; thus the partizans of a Stadholder conducted the French to the gates of Nimeguen in 1747 ; thus was the system of the North changed, because Peter III. was dethroned ; and thus the influence of a favourite, has in France, given, or taken away, the staff of command.

This fluctuation of favours and disgraces has produced the greatest revolutions: an absurd stiffness on the part of Great Britain separated America for ever from the mother country, and rendered the heretofore colonies free and independant.

Could the unprecedented event of the peaceable dismemberment of Poland have been presumed, any more than the supine indifference of Europe with which it was attended? The political calculator at least would not have believed the tranquillity with which that revolution was effected; he would not have credited the docility of a nation which formerly struck terror into the Muscovites, the Swedes, the Germans, and the Tartars; still less would he have reckoned on the silence of the European courts. Internal anarchy, and the rivalship of the Marshals of the confederation, each of whom, at the head of a detachment, aspired to be an independant general, threatened disasters, but not that catastrophe, which, in a twinkling, has reduced to servitude men who conceived themselves armed in defence of their lives and liberties. Each politician was far from foreseeing, that while the confederates were publishing pamphlets in France and Bavaria, their provinces

vinces were to be invaded with a success that did not even awaken national despair.

The balance of power, so much prized and fought after, is therefore a mere illusion. How can the weights of different powers be equalized? Europe has taken arms to defend the political balance, at one time against the Austrian monarchy, and at another against Louis XIV. The same forces which conspired to exalt an empire, have combined to shake it. The system of equipoise has bewildered men, and the peace of Aix-la-Chapelle displays the grossness of the error.

This system of equipoise was to divide Europe into two factions, whose destructive collision was to prevent reciprocal encroachments. Such visions exist no longer, I believe, in the heads of ministers, but they long misled and perplexed cabinets.

It is mentioned in an historical work, that Andrew, a despot of Romania, sole heir of his uncle, Constantine, the last of the Greek emperors established at Constantinople, resigned all his titles to the imperial throne in favor of Charles VIII. and his successors. Thus the kings of France have a legal claim to the empire of the Paleologi; for who can render a cession valid, if a despot cannot? It may be said,

that the Turkish sultan, a despot likewise, will reply, that every despotic state belongs to the actual possessor of it: a lawyer would urge, in reply to this, the right of prescription; and a minister would haughtily declare, that arsenals furnish the best arguments. But the powers of Europe, without recurring to these reasons, would insist that the balance must be preserved. The word *balance* has a powerful ascendancy in these disputes, or syllogisms, which others will call sophisms. Give a logician of the North East the rights, and above all, the forces of France, with plans to direct them, and you would see that Andrew, the despot of Romania, did not make an imaginary grant, and that laws, both human and divine, would be called to its support.

Providence has willed, that there should be a just reaction between the shock of two bodies, which, politically speaking, prevents any state whatever from devouring, and above all, to use the energetic expression of Rousseau, from digesting another state.

But there is friction alone in a detached political machine; for the government of a nation is a mechanical combination. The power of the chief should be in equilibrium with the reaction of the individuals. Behold the pendulum

of a clock ; it maintains, by its oscillations, the uniformity of the relations subsisting reciprocally among the different wheels. In like manner, a regulator is needed to direct all the parts of the political machine. The government of a nation is, in this light, a mechanical combination, as all the evils to which it is subject proceed from the friction of the moving parts, that is, from the private interests which clash with the public good. The regularity of the effects, therefore, depends on the weight which impels the whole, while the different wheels, nicely adapted, perform their several offices.

UNITED STATES OF AMERICA,

WHAT has the great discovery of America procured to man, by the extension of his dominion ? The most atrocious crimes, the motives of fury and carnage, a terrible disease that poisons innocent pleasure, and a monstrous luxury which has corrupted all the nations of Europe. Thus has their communication with the new world produced barbarous wars, an insidious policy, and a perpetual violation of the most sacred rights.

These mighty ills are about to be corrected by the benefits of legislation : it will animate the western continent by happy views formed in Europe.

The force of laws will subdue the aversion to the social state ; philosophy will traverse those prosperous climes ; and modern writers will prepare felicity to future generations.

What signifies the appellation of *rebels*, when the sword of victory has decided the quarrel ? When a nation forms to itself a legislation, commerce, paper money, armies and fleets, is it not entitled to declare its independance ?

If it is a country that contains no beggars or robbers, if its forests are not dangerous to pass through, if the executioner wants employment ; be assured the government is good.

Of all revolutions, that of America is the most important in the eyes of a philosopher ; because the United States, absolved, as I have said, from the crime of rebellion by the sword of victory, and more especially by the code of universal liberty, will display forms of government the best suited under heaven to the dignity of the human race.

The American constitutions, framed by the wisdom and meditation of European philosophers, are about to establish a state of things which

which will be a new creation upon earth. But the free American is still infected with the political and moral vices which the ravages of war engender. He seems to harbour perpetually an implacable enmity to the old world; and, whether through weakness or pride, he does not show, in matters of trade, that sincere probity, and that sacred good faith, which, accompanying so many public virtues, would shed additional honor upon an emancipated people. He wants those private virtues which he will undoubtedly acquire, when he shall have reflected that they are the pledges of all the rest. A mistaken avarice now deprives him of that illustrious renown which renders the individual as respectable as the nation.

Affuredly the American, sensible to this just reproach, will cultivate political morality through all the ramifications of his new society; and public spirit, still more improved, will turn him aside from the crooked paths of craft, and open to his view all the roads of glory, to the end that he may preserve in the world that lustre which has already announced itself, and which he ought to merit in every feature of his existence.

The American ought, therefore, to conduct his commercial transactions with more open-

ness, honor, and dignity ; for it is not enough to say, "we have no robbers among us," if cunning, dissimulation, chicanery, and low avarice lurk behind the counters of the American merchants.

DECEITFUL TERMS.

WHAT proves the imaginary distinction of governments is this, that a single man has never governed an immense multitude : that which is denominated a government of one alone is evidently the government of several.

When a monarch is called a father, it is merely an image ; there would otherwise be an intolerable abuse of terms. This father, who has twenty millions of children, is not acquainted with the whole of his family ; and whatever may be the extent of his paternal feelings, he is impelled to a limited and particular predilection.

In all the sciences, man, to aid his memory, has contrived classes, which he has in the sequel converted into rigorous principles. But at what period did nature thus modify objects ? It is physically impossible that one single power can absorb all the others ; and intermediate bodies

will

will start up to resist the violent attacks of despotism. A tyrant cuts off heads, as a robber assassinates in a forest ; but the one is strangled, and the other ascends the scaffold. Each is a particular violence which has its course, but neither is, nor can be authorised by the general will.

Men have in all ages been deceived by words.

A barbarous and ignorant nation, when it is spread over a vast territory, becomes a prey to despotism, because its warlike chiefs have then the mastery, and because there are no merchants, cultivators, men of letters, magistrates, and, in short, no distinction : a part possesses itself of the government ; the other part allows itself to be governed. This nation is not attacked by those little extortions which in polished states are levied with so delicate a finesse : as the persons of the governed are in the hands of the chiefs, they are killed, not wearied out ; but when the servitude ceases to be personal, then is the seizure made on men's property, and on their thoughts.

The forms of government are modified to infinity. Under the first race of the French kings, the mayor,* elected and maintained by

the grandees, made a part of the constitution of the government ; and by this counterpoise the nobles were protected against the encroachments of the monarch. Every thing, it is true, was done in the name of the latter ; but still the mayor had an efficient power of which he could not be dispossessed.

In all governments I perceive powers which, while they reciprocally clash, counterbalance each other. When the weaker of these is not violently oppressed by the stronger, it is tranquil ; but when it groans under its sufferings, it re-acts with energy.

Interrogate a monarch : he is fully apprized that he does not always accomplish what is consonant to his wishes ; and perceives that obstacles lie in his way. Those pathetic protestations and exhortations addressed to a single individual are chimerical : fifteen millions of men, who throw themselves on their knees, and beseech this fellow mortal to make them happy, form an extraordinary spectacle.

The Indian, who adores the clumsy idol he has himself shaped, is not less ridiculous. A king is surrounded by restraining powers, and has neither the extent of capacity, the might, nor the leisure to do every thing : it therefore belongs to the nation itself to redress its wrongs,

more

more especially as it is impossible for a single man to confer on it a complete and perfectly modelled happiness. If this nation is unprovided with arms, let its struggles be with words, and let it struggle unceasingly, not forgetting the timely application of satire, that formidable weapon. The power of the monarch is limited: he may exile or imprison certain individuals, and even put them to death. He will pay dearly, however, for these short lived vengeances: the titles bestowed on him, and the troops he must pay, every resource, in short, will soon fail him.

A kingdom has been compared to a farm; and of the monarch, it has been said, that the sovereignty over which he presides is his property. But how can a kingdom with propriety belong to a single individual? A property of such a nature, evidently illusory and fallacious, would exclude all others, and would be equally unjust and absurd. We will, therefore, examine what this pretended property is. It cannot but be perceived that the monarch is at the head of the nation, but is not the nation; and that every thing is done in his name, but not by him: here is, therefore, an abuse of the word *property*. An empire is neither an estate nor a farm, neither can it in the same way be sold, divided, or communicated. Now, when a king

says,

says, *my kingdom*, he utters an absurdity : he is the pilot, not the master of the vessel.

All governments are mixed and ought to be so, since it is what saves them from destruction ; and in every state intermediate bodies are found. Where the human race is not utterly degraded, one severe edict may be dangerous : where many political contentions arise without an effusion of blood, the sensation of liberty, be certain of it, is felt.

Such a state appears tranquil, because it is feeble and worn out. Parties, popular storms, and contentions, occasionally announce the vigor of the political body ; while each power is in motion, and counterbalances the others. Such a kingdom thrives so long as the equilibrium is not destroyed to such a degree as to occasion violence.

How much did it not cost despotism to enslave the Strelits in Russia, the Pretorian bands at Rome, and the Janissaries of Constantinople ? And, notwithstanding their final subjugation, each of these bodies frequently lorded it over its master.

So long as the spirit of a nation has not been completely subdued by oppression ; so long as it secretly protests against violence, there is still something to be hoped. But whenever the national

national genius reconciles itself to the yoke of slavery, all is over: the canker has found its way to the pith of the tree; and it must decay and fall to the ground.

Of what importance is it, whether the government be monarchical, republican, or democratic, provided it be just and moderate? The subjection, relatively to each individual, is in either case the same.

Let it be provided, that the sovereign, the senate, or the council, shall not be invested with a despotic power over the life, property, and honour of the subjects; that the taxes shall not be augmented, nor the citizens banished or retained by force unreasonably: you may then leave the establishment of forms to contingencies and events. A fanatical attachment to the word liberty, and a desire to give to that term an unlimited extent, are, in the strictest sense, chimerical and absurd.

Every authority is necessarily subject to restraint, even in states where there are no written laws. The parliaments of France were wont to oppose the royal edicts; and the delay they occasioned was a check on the strides of despotism. In Germany it sometimes occurs that no attention is paid to the imperial rescripts.

Each state, like each individual, has a physiognomy

ognomy which, independently of names, announces either its level or a noble condition. The states of Italy, France, and Spain, contented with their repose, and tranquillity, are figuring on the grand scene of the globe, to counterbalance the want of glory and grandeur, possess tranquillity, peace, and even prosperity itself.

In the history of each government we find destiny, liberty, and necessity, instinct, genius, chance, and imitation. A belief of artificial bonds is entertained, while most frequently every thing is the work of simple nature.

Never can an enlightened nation be overwhelmed by an intolerable despotism. Such a nation puts its religious laws to the test, and investigates those of its civil code : these it either spurns and covers with ridicule, or honours and approves.

PLEASANT ABUSE OF WORDS.

MEN in general are such slaves to words, that naturalists themselves, in describing the white ants of Senegal, speak of the king and queen, and almost go so far as to point out the captain of the guards. Consult what has been said of these marvellous ants, who construct on a large

a large scale buildings of from fifteen to twenty feet in height. You will there find the *king* and the *queen*, *who*, as the naturalist observes *when once they have entered their cells, are not permitted to abandon them*. Afterwards come the *soldier-ants*: they are formed for labour, and to them the labour is apportioned. The ants who view their toil compose the nobility.

I do not call in question the buildings of these insects; but when the naturalist takes upon him to dabble in *politics*, and employs fortuitously words engrafted on his memory, he falls into ridiculous errors. The insect lodged in the centre apartment is the king, because naturalists can form no other conception than that of a king at the head of a society either of men or ants; and they add the queen, because our kings of Europe are not eunuchs.

We have been told, seriously, then of the monarchy of the white ants, and of the monarch-insect, the slave of his grandeur;—of the labourious ants, and the lazy ants; of the sovereign shut up in his palace; and, lastly, of the queen or common mother, by whom, with a single male and different orders of subjects, the monarchy is constituted. In all this there is only one idea that is not exceptionable, that of bestowing the appellation of soldiers on those whom

whom the naturalist observed to be engaged in labour, and the title of nobles on those who did nothing. See to what we are led by the extreme abuse of terms which are familiar to us. This is precisely what has been done by certain political writers, who have entertained a ridiculous attachment to words : they have seen human society on a large scale, with the same eye with which the naturalist has viewed the ant-hill.

The monarch of these writers ought to hold in his hands the third part of the property of the kingdom ; for thus they have decided. According to them, this monarch exists in *the effential order of political societies*. They can comprehend no other government : it is always the *monarch* with the mandatorics of his *supreme, tutelar and beneficent, authority* ; for these three epithets are inseparably connected with their system.

I hold them in the same esteem with the theologian, who has asserted, that the political yoke was imposed by the hand of God : but this is impossible ; God has not made tyrants. It may be said, *God has made republics*, with the same reason as that God has made despotic kings.

Let us speak more rationally than our predecessors, and say, that when a government com-
mit:

mits great faults, a speedy punishment ensues. Spain shackles the commerce of her colonies, which is exclusively carried on in vessels belonging to the crown ; and by this regulation the English possess themselves of the produce of Mexico and Peru. The Portuguese will neither apply themselves to the cultivation of corn, nor encourage manufactures ; and Portugal thus becomes dependent on Great Britain. Poland confines its navigation to vessels which descends down the rivers to Dantzick with corn ; and Dantzick becomes possessed of the commerce of Poland. France neglects her marine, her communications, her outlets, and her canals ; and a peace disgraceful to France ensues, by which the English, in 1763, secure to themselves the half of America, and the commerce of India and Africa.

Providence is the first minister of France, said a certain prelate, or, in other words, that kingdom, by its mass, its situation, and the character and industry of its inhabitants, will subsist, notwithstanding all the faults of its administration. It is because there exists in France a national good sense which repels whatever is inimical to the state, and deprives of its efficiency all that is inconsistent with our manners and government.

A book, a *bon mot*, a *Lappy repartee*, by each of these, imprudent counsels are impressed by great truths. Good sense in reality belongs to the mass of the nation, and resists whatever militates in the slightest degree against its reasonable or ancient usages. An attachment to their places prevents ministers from attempting daring innovations; while a popular clamour, energetically expressive of the sentiments of every good citizen, combats error and prejudices. From hence ensues the abandonment of erroneous systems; and ridicule completes the failure of rash projects.

In 1771, the French, by a gentle but persevering resistance, supported their magistrates, and in a manner obliged the sovereign to restore to them, according to the established forms which time had consecrated, the functions that had been unconstitutionally wrested from them. Several ministers have been removed by the public voice; and enterprizes badly conceived, are not always carried into execution in this enlightened nation, which dreads not the fury of despotism, because it entertains a thorough persuasion, that there are several means of combating it and driving it to despair.

It may be said, on another hand, that the

legislative

legislative power resides in the nation ; while the king and senate can constitute the executive power alone. But if the nation be uncultivated and enveloped in the shades of ignorance, what legislation can it form ? Inexperience and depravity are equally injurious to society ; and in such a case it evidently follows, that either the king or the senate pronounces the law. When the sovereignty is tulerary it is respected : when it is rapacious and violates all property, it is combated and contemned. Every government depends on the genius of the administrators.

The monarch, therefore, is at times instructed by the nation, which at other times he instructs. Instruction is at this æra an extra resource to the sovereign, it being essentially necessary to facilitate obedience.

Man was not created for error ; and if the legislation be formed on evident principles, the reign of truth will be rapid in its progress.—Now, the maintenance of every association depends on the happiness of those who are connected in society. To say that a kingdom is the patrimony of a monarch, is to revive, in an enlightened age, a cruel absurdity.

A good government may be defined to be : *the art of providing for the wants of man in a state of society.* Nature has made these wants

very simple: society has rendered them very numerous.

In a civilized state there are two descriptions of men; the men of nature who dwell in the country, and the men of society, the agents of industry, who are crowded together in the cities.

From these two sources arises a third order of individuals, living at the expence of the other two orders, to secure a necessary liberty, and maintain tranquility in the larger associations.

It follows that there exists a strife between those who enjoy themselves in a state of indolence, and those who labour to procure these enjoyments.

In this calamitous position, more or less inseparable from great societies, what is the government to do? To hold out encouragement to those who toil, and to cultivate the good will of those who consent to pay for their enjoyments. On this continual re-action the subsistence of men is founded; and an equal attention ought therefore to be paid to the two objects which concur towards it. To be perfectly acquainted with the two points by which commerce and agriculture are balanced, comprehends every secret of government: and this knowledge will enable the statesman to determine

mine how far he may venture to extend the taxes, to keep state pensioners in pay, and to multiply manufactures.

NATURE LAYS THE BASIS OF GOVERNMENT.

HUMAN societies subsist less by the force of government, than by the force of nature, which necessarily lays the foundation of the political body, by the tendency all men have to live together, and to live in quiet. When the poverty of the citizens is pretty nearly equal, the passions have not that ferocity which arises from the prodigious complication of civil and moral conveniences, resulting from numerous societies where an inequality of fortunes demands laws of an extraordinary combination. It is then that philosophy is, not without reason, surprised at seeing human societies subsist, when three fourths of the individuals assembled together are absolutely destitute of the good things the remaining portion enjoys. Nature, however, which wills that the small number shall command, and the greater number obey, has ordained, that man in society shall live under the dominion of primary causes, and that an im-

mense population shall be subjected to a few men, because men living together in society have need of a government, and because, as it is impossible in societies that the members can be equal, the empire, whether it be that of force, of eloquence or of the arts, must be united in a few hands. Now, a great society which is divided into a considerable number of others, and these again subdivided into a still larger number, cannot subsist without a central point: unless for a predominating will, there can be no order and no harmony.

Nature therefore forms governments, and reflection completes the work. The laws resist that constant fever of the mind which harasses mortals, and which would proper them to mutual attacks, unless for the instinct that is superior to all combinations.—an instinct which gives to this one command, and imposes on that one obedience. The elements of this first disposition of nature are every where to be found; at the same time that we invariably perceive, in the most complicated of the political laws, that he who commands is not less bound to him who obeys, than is the latter to the instinct which founds his submission to the laws.

If the truth of these principles is not fully evinced by my reasonings, I must have misconceived,

ceived, not only the causes, but also every historical fact which appears to me to have resulted from them.

The art of governing has probably the same origin with every other art, that is to say, governments have arisen from natural sentiments. The earliest political societies were modelled after filial respect; and the paternal government was thus formed into a national institution. Sudden leaps are as rare in the moral as in the physical world: man advances step by step. The Chinese, copying nature, converted paternal authority into a public and national law, and the emperor obtained the appellation of *the father of the state*. To come, however, at all the force and vigour of this sentiment, we must view man in that isolated and savage state, in which his family supplies in his estimation, the place of the universe. In the tumult of social life we can no longer consider the sovereignty as a paternal authority. Ah! who will be venturesome enough to convert it into a principle of national government? The idea of contract and convention forming the code of natural rights, there is no longer any question of filial respect towards the chief of the empire, but of obedience, as a tribute in return for the advantages he procures for the nation,

OF CERTAIN MODERN DOCTORS, ALREADY
ANCIENTS.

THE writers on economics, in their wild jargon, speak to us of the property of the monarch, on whom they bestow the third part of the reveuues of the kingdom : but is not this pretended property, which they thus bestow, the origin of every abuse ? These writers have never dreamed of the political organization of a state : they have made a sovereign after their own fashion, without perplexing themselves by the consideration that his authority might degenerate into despotism, through eternal attacks on personal property.

All human labours are, by the *natural order*, devoted to the profit of him who toils. One only of these labours can, however, be converted to the advantage of all the others, seeing that it alone is the source of every profit ; and this labour is that of the cultivation of the earth, which creates whatever it draws above the expences advanced. Now, by way of saying that to cultivate the land is to create, and that this creation is the source of all the others, the above writers have fallen on the term *the neat produce*. Man cannot eat all the corn he grows ; he must therefore dispose of the *surplus* to supply some other

other of his wants ; and this surplus is the *neat produce*. This scientific word would not have been brought into use, if the writers on œconomics had confined themselves to the observation of very great antiquity, that it is the surplus of the growth over and above what suffices for the nourishment of a man, that nourishes other men. The *science*, the *master*, the *liquid produce*, the *total produce*, and the *neat produce* ; this absurd train of obscure expressions resembles the language employed by the great master of tongues, described by Moliere in his comedy of the *Bourgeois gentleman*.

These learned writers see palpable demonstrations of truth in the pages of their pamphlets, and the people die with hunger. Their system, insensible and cold as death, is soon followed by a *royal edict*, the cruelty of which is authorized by their reasonings, because they favour the cupidity of the ministers. These enthusiasts and dupes, without being skilled in the science of an atrocious government, have, notwithstanding, openly pronounced that the *policy* ought not to be *changed*, while in its very nature it must be variable and fluctuating—a fact which these mercenary book makers have not been able to comprehend.

Law's system, and that of the writers on economics

economics have been equally fatal to France, through the immoderate abuse that has been made of them : they have marked the *commencement* and the *close* of the last reign (that of Louis XV.) by pretty nearly equal disasters.— Each of them had, nevertheless, its reasonable point of view and its utility ; but instead of modifying them, and accommodating them to circumstances, in which case they would not have been injurious, the aim has been to render them inflexible.

The lamentations of sensible minds were lulled by the voice of these *new doctors*, proud of their speculations on this subject. Although instructed by the experience of several *reigns*, they either did not, or would not perceive that their system was violated, and militated against circumstances. Irrefragable as to many theologians, they would not comprehend that the good is poisoned, when the government, concentrated in a court, is not disposed to receive it. Thus, in spite of all they demonstrated upon paper, famine placed itself in the rear of their pamphlets. It was in vain for them to say, *what we pointed out has not been done* : the *idea* of their system had been conceived, but as they were ignorant how to connect it with the present epoch, its mischievous effects fell on the people.

people. Now, as these writers, had they succeeded, would have divided the glory arising from the benefits they had conferred on the public, it is but reasonable that they should divide the scandal of their miscarriage, and the curses of a nation deprived by their reasonings of *bread*.

It soon became expedient to recur to the policy of the most numerous portion (those who had not been instructed in the school of the master) to the *usual* policy, which had from the commencement proscribed not only extreme means, but also all those visions which one of our *wise* journalists published under the title of *Ephemerides*.

Nothing is more simple than polity, when the true elementary principles of that science are resorted to. A voice within us whispers to us, that men are so far equal as to be all of them entitled to the benefits of the earth, the common mother. The loftiest despot entertains no doubt on this head; and if the legislative power were unceasingly to lend an ear to this innate cry of sentiment, all would be well: legislators would no longer proceed as if society were founded on the annihilation of the rights of nature; and the murmurings which attest the sufferings of the people would be attended to.

Systematical polity may have some advantages ; but it must be acknowledged, that it may be employed equally by the adroit tyrant as by the legitimate sovereign.

The number of the necessitous will be always proportioned to that of the individuals without property. The greater the population of a state, the more numerous will the wretched be, if you do not introduce a perfectly unshackled industry to partake of the benefits concentrated in privileged hands.

The mass of riches being in every country necessarily limited, it is evident that there can be but a certain number of inhabitants in flourishing circumstances : but in a state where the law equally protects all kinds of *cultivation* and *industry*, the shades of difference, from the richest to the poorest, will be simple and gradually progressive.

In a state which borders on its fulness of population, it therefore become extremely necessary that the government should direct the internal commerce. The lot of the greater number of citizens being in such a state of society extremely rigorous, it is otherwise to be dreaded, that the articles essential to life may not be sufficient for the support of those who are at once dependant on the bad years and the caprice of

of the rich ; and as famine drives the lower class of the people to despair, the government should not expose the existence of that class to illusory systems, and incur the risk of having to encounter popular insurrections. Let the commodities in question be at all times equalized, and tranquillity will be maintained in spite of all that pseudo politicians can advance.

Let the government have constantly in its view this established truth, that the richest citizen pays not dearer for his bread, his wine, and his meat, than the poorest individual of the state : it will then feel the necessity of not augmenting the inequality of conditions, by abandoning to chance and cupidity the commerce of indispensable articles. To do so would be to augment in a thousand ways the most terrible impost that can be levied on the people.

At Athens, those whose land did not yield two hundred measures of grain paid nothing to the state. It is not true that the impost, because it is a sacrifice of a part of his wealth made by the individual to secure the rest, ought to be paid alike by all in proportion to what they possess. The people pay by their hands, by public labours of every description, by the dangers to which they expose themselves in all perilous trades, and by the workmen and soldiers

diers they incessantly supply in their own persons, and in those of their children. Thus the direct effect of the sensible law of Athens above cited, was to respect *little fortunes*, at the same time absorbing, through the impost, a part of the opulence of the rich.

To take from those who have no real property a part of their personal acquisitions, is to make them pay a double tax. They have from their birth been the slaves of the society, which imposes on them the weightiest burthens ; and to take from them a part of their specie, is to snatch from them, not a legitimate tribute, but a necessary part of their subsistence. They pay the taxes by their labours and daily services ; and when they surrender up their life for a small salary, if the value of the articles of common consumption is not on that account diminished in proportion to their indigence, there cannot but be an injustice, since their laborious days, constantly exposed, are the most efficacious tribute they can offer to their country.

The government ought to adopt the most rigorous measures to prevent the state from being deprived of the articles of its own growth. To exchange food for money, more especially when the population is considerable, is to order a great part of the inhabitants to diminish their consumption,

lumption, and to condemn them to the penalty of want. When industry has fertilized the earth, are the lives of men to be in a manner exported, to satisfy the cupidity of a few speculators, who barter for gold the subsistence of the laborious classes of society ?

The commerce which deprives the state of useful articles for superfluities, is perhaps a dangerous one : it certainly facilitates the growth of dangerous monopolies. When the mass of silver is equal to the general wants, it is always sufficient.

Common sense alone, for it requires nothing more, must convince us that what the harvest yields of superfluous ought to be reserved against famine. But listen to the writers on economics :—they will give you a thousand plausible, but bad reasons, to prove to you that it is at all times expedient, without any restriction whatever, to exchange with our neighbours *corn* for *specie*. The latter, they say, will improve our lands : this certainly looks well upon paper ; but good sense, which has not ventured so far in its researches, has, at length, obliged us to acknowledge, that the surplus of the harvest belongs either to the immediate population, or that of the adjacent province, and that to remove

it to a greater distance is equally dangerous and unjust.

Thus those on whom the title of *writers on economics* (*économistes*) has been bestowed, have not made the greatest progress in the economical science. They have spoken in the first place of an *evidence* which was to carry conviction to the minds of all, and this pretended evidence is entirely made up of obscurities or common ideas, cloathed in a pompous jargon. Their barbarous language, their mysterious obscurity, has not procured for these new oracles all the sectaries they expected: the phantom of *evidence*, that universal despot, they brought forward, has not restrained the ambitious monopolizer's passion for gain; while the unbridled love of luxury and jobbing has braved the truths which they said were as demonstrable as the exactest calculation.

They have misconceived the moral order on which the physical order reposes. They have presumed that the latter would suffice; and, losing sight of the expediency of tempering and directing the human heart, have neglected to purify the virtues in their sanctuary. They have abused the excellent principle of liberty, by endeavouring, in the first place, to render it indefinite,

indefinite, and afterwards applying it to objects of the first necessity, in a covetous age, and under an avaricious government. They have represented to the people the necessity of their exporting their corn, which they were not at the same time sure of replacing: the exhaustion was speedy, the replacement slow. Their unique and territorial impost, the idea of which, however, they have borrowed, would be admirable, although far less perfect than the tythe of Vauban with which they have found fault, provided every other abuse was reformed: but they have failed to perceive, that nothing was borrowed from their system unless what could satisfy the cupidity of individuals, and that the truths from which no private advantage could be drawn were ridiculed and condemned. The economical science, which was to perfect the legislation of the universe, has been productive of far more mischief than good, because it has not accommodated its principles to circumstances.

The terror with which the imagination of the people is inspired by the unlimited exportation of corn is to be taken into the account. It is sometimes kindled up without a cause; but I ask, are the people wrong? Can they have read the pamphlets, and heard the dissertations *pro*

and *can*, weighing the one against the other ? Food is dearer to man than his life, for this reason, that he feels hunger, but is sensible neither of life nor death. It is also dearer to him than liberty ; and for these reasons, the terrible apprehension of famine must be banished. As the people constantly dread *monopoly*, which they have seen carried to an excessive pitch, do not be surprised if their terrors are awakened by exportation : where there is error, the life of man is endangered.

According to some, France grows a little more corn than she consumes ; and according to others, does not produce a sufficient quantity to support her population : for, notwithstanding our self-sufficiency and presumption, which will not allow us to entertain any sort of doubts, we are extremely ignorant on essential points. Be it as it may, France has recourse to the Neapolitans and Sicilians, as well as to Africa ; and this seems to prove that our crops are not equal to our wants. Direct your view towards la Beauce, that province which produces such fine corn : well ! more than the one half of its inhabitants eat black bread. Why is corn to be exported, when in several of our provinces not the fourth part of the inhabitants have bread sufficient to satisfy the calls of nature ? Let us import

import corn from the United States of America, and give in exchange our wine, olive, oil, and fruits. The agricultural people in France groan under a heavy weight of imposts, and must be allowed the benefit of a more advantageous culture to pay the collectors.

Instead of selling corn to foreigners, let us purchase it of them, and let France imitate the good rural mother, who will not suffer her infant to be at any time without a slice of bread in its hand, should it even not be eaten, but thrown on the ground to feed the chickens.

We will now take a view of our colonies. Hear the cries of St. Domingo, where the inhabitants complain of the excessive price, the scarcity, and the bad quality of the meal they import. Let us carry American corn to the French sugar islands, and let us turn a deaf ear to the writers who have reduced us to a half-famished state, who are ignorant that men follow the articles essential to their support, and that the exportation of corn is attended by the emigration of the inhabitants.

Finally, may the exportation of corn, at all times wisely limited, afford the cultivator every advantage to which he is entitled, without, at the same time, exposing to want, or inspiring with a terror equivalent to a famine, the nu-

merous consumers of a kingdom, the metropolis of which is situated at a great distance from the sea coasts.

The writers on economics have more especially displeased me on this account, that they have chosen to express themselves in undefined terms. The spirit of the sect has made them haughty in their mode of thinking, and in their discourses sententious and abrupt ; while their pedantry has lost them the esteem of every sensible man, of all those who detest a fastidiousness either of conduct or phrase. When the question of the commerce of corn is agitated, they will allow no restraint whatever : monopoly takes the advantage of their doctrines, by which individual cupidity is flattered, and on them falls all the odium of the mischiefs that have resulted from the proclamation of a *general freedom of export*. Instead of giving a new turn to their system, instead of acknowledging the calamities by which, in the first instance, it had been followed up, they have stood their ground with all the pertinaciousness of logical disputants, and have contended against the urgent remonstrances of famished France.

These new doctors, who would needs have their opinions, for the greater part obscure, to be so many infallible guides, and whom the public

public mind, in its early effervescence, *vene-*
 rated like ancient legislators, annexing to each
 of them the stamp and physiognomy of a Solon
 or a Lycurgus, were only entitled to distinction
 by their obscurity, their political jargon, impu-
 dent quackery, obstinacy, bad style, and ridicu-
 lous emphasis. Out of their *jeet*, according to
 themselves, there was neither talent, reason,
 nor discernment ; and the economical principles
 were to sway Europe and the whole world.

Shortly, however, a just appreciation of these
 principles, extremely difficult of adoption, gave
 rise to that disdain which punishes the enthu-
 siasm of sectaries ; and the new school was ef-
 fectually humbled by the well merited cont^{mpt}
 of every real philosopher. Not that all their
 ideas were false or badly founded, but because
 they had imprudently promulgated them without
 being themselves acquainted with the tendency
 of their collective application, and still less with
 the consequences that would result from them.
 They were strictly and literally political char-
 latans.

By these writers every old image has been
 revived. According to them the *king* is the *fa-*
ther of the monarchy, *a father of a family* ; and
 his subjects no other than adult *children*. They
 have whirled round in a badly described circle,

and have been but one *constitution*, the ~~more~~ *more* political state. Never have local circumstances either caught their eye or engaged their attention.

COMMERCE OF CORN.

SHOULD or ought not the free commerce of corn to be allowed? This important question, indeed the most important of all political questions, because it concerns the support of every citizen, has been under discussion for these twenty-five or thirty years past. Without entering into the reasonings adduced by the defenders of the opinions on either side, I shall confine myself to a few observations which appear to me to be decisive, and to merit the most serious attention.

It certainly belongs to the earth to nourish its population; and it is equally certain, that a monarch whose territory should consist of sandy plains, wild heaths, and deserts, would be but a paltry sovereign. Midas, who converted whatever he touched into gold, and who carried at his fingers' ends mines still richer than those of Potosi, was the most unhappy of men. Was not

not Rome, that queen of the world, in the most wretched state imaginable, when Sextus Pompeius prohibited the landing of corn in the Italian ports from Sicily, Egypt, and the coast of Africa? His citizens, greater than kings, were far more wretched than the meanest peasant who has bread at his command, and would gladly have exchanged their royalty for a few measures of corn.

The best and most powerful of empires is unquestionably therefore that which has the most fertile soil, and which nourishes the greatest number of inhabitants. But of what import is the amount of the population, which in France, for instance, exceeds twenty millions of men, that inhabits and cultivates a little soil, if the corn it grows is not for itself? Now, this corn is certainly not for those who grow it, at the same time that their existence becomes absolutely precarious, and at the mercy of their enemies, or of a company of merchants, provided the commerce of corn is allowed. Nothing is easier than to prove this, and to carry the demonstration to evidence itself: but that nothing may be wanting to this end, I shall put a few preliminary questions.

1. What is the number of the inhabitants of France? how many foreigners are resident

there ? and how many septiers* of wheat are required for the nourishment of all ? Of these facts we are at present ignorant.

2. What corn do we require for our colonies ? is their population precisely known ? have those who inhabit them been faithfully numbered ? Here again we are in the dark.

3. How much corn is employed in articles of pastry, in the nourishment of animals, &c. &c. ? We know nothing of all this.

4. What number of septiers of corn do our harvests on an average yield ? and how many are employed as feeds ? We are ignorant still.

5. Does France produce more corn than is necessary for its own consumption, or does it not produce enough ? No one can say with any precision. According to some, she grows a fifth more than she consumes ; and, according to others, an insufficient quantity, insomuch, that she is obliged to draw supplies from Sicily, and the coast of Barbary. Now, I ask how, in the midst of all this uncertainty, we are to judge with any determinate precision ?

If it were certain that we had a million septiers of corn, more than is sufficient for the nourishment of the inhabitants, I should say

* The septier contains twelve bushels.

that

that we might then allow the free exportation of that quantity, provided it were *to be drawn* from the provinces by which it was produced: for were it to be taken, for example, from a southern province, which has not produced a quantity sufficient for its own nourishment, that wretched province, as well as the surrounding ones, would be starved, seeing that the mischief gaining more and more ground, the scarcity would have time to commit its ravages before succour could be brought from the northern province. I must here observe, that the exportation of meal should be preferred, because the bran in that case would at least be ours, and our millers would be the gainers.

Those who have written upon corn, and more especially the partizans of liberty, have, for the greater part, entertained mercantile ideas: they would be excellent patriots at Lucca or Ragusa. But is the regimen of a great kingdom, such as France, similar to that of the republic of Saint Marino?

If you have only a sufficient quantity of corn, keep it: if you have not enough, purchase. If you have somewhat too much, store up the surplus: you are tenacious enough of your gold, and why not be equally so of your corn, which is far more essential, since the life of

man, and above all of the man who labours, and who constitutes the true riches of the kingdom, since the love of the country and humanity, since the safety of the state is dependant on it ?

To sell corn without knowing whether there is sufficient for home consumption, is, not to speak too harshly, an impiadence which no great nation ought ever to content to : to dispose of the bread of its children is a horrible crime which should not stain the name of any country. The citizen owes to the country his blood ; and will it not in return sacrifice to him the cupidity of a few individuals ? Is the society any other than the obligation of all the individuals to concur towards the general safety and prosperity ?

If there are good years, there are also indifferent and bad ones. In the good years there may perhaps be no great room for apprehension ; but in the indifferent and bad ones, who will take upon him to say, that the English and the rich Hollanders will not unite and deprive us of our corn ? Forty or fifty millions of livres dexterously remitted, and distributed in the places adjacent to the provinces where the crops shall have particularly failed, will carry alarm and desolation throughout. Our poor fellow citizens will

will perish through hunger ; and our enemies will in the event carry out of the kingdom twice the capital they embarked in the adventure a few months before. The French merchants will themselves augment the mischief ; and the greedy farmer will be in no haste to sell, finding that he can derive an advantage from the public misery.

Corn is besides a commodity too necessary to be entrusted and abandoned to the combinations of merchants devoid of any principle, and thirsting after gain : these are unfortunately, in a rich country, such as France, by far too numerous. It is placing in their hands the life of the poor ; and we know that the safety of the people ought to be the supreme law.

It may be added, that corn is of too great a bulk, and the freight of it too costly, not to swallow up the profits which can legally arise from its exportation to a foreign market, even when it is purchased at the cheapest rate : such a traffic can therefore only be advantageous when the article is re-fold to the nation from which it has been drawn. It consists then in reality merely of forcstellings ruinous to the people, and becomes a pure jobbing, instead of being an efficient branch of commerce. Poland is differently circumstanced ; but what are Poland, Egypt,

Egypt, and the coast of Barbary? are they to furnish an example to France? Sicily and England are islands without provinces in the Mediterranean; and what they do in this respect proves nothing.

Colbert, who has been so severely ~~blamed~~^{accused} by our modern political empirics, ~~and~~^{was} much sagacious when he obliged each province of France to supply itself. That great man, who well knew the thoughtlessness of the French people, and who was apprehensive that the cultivation of corn, the true riches of the state, might yield to that of the vine, tobacco, &c. or to the planting of wood, prohibited the mutual succour of the different provinces. By this expedient they were obliged to grow corn equivalent to their nourishment; and it may be affirmed, that Colbert, in this way, rendered the most important service to his country and agriculture, notwithstanding he has, according to our modern doctors, done quite the contrary.

It is unnecessary to add, that when corn was wanted in any one of the provinces, that statesman took care to be at hand with a supply. The foreign purchases he made of that article at the commencement of his ministry, and the ovens he constructed at the Louvre for the use of the people, sufficiently evince the respect he

entered

entertained for the laborious class to whom we owe all our enjoyments.

Colbert's administration on this score was the more sagacious, because he at the same time paid a particular attention to the manufactures which have extended and enriched our commerce. If the cultivation of wheat had been neglected, no doubt can be entertained but that manual labour, become too dear, would have given a mortal blow to our manufactories. To the end that we may either rival or excel foreign nations, the indispensable articles of life must be so cheap as to render the workman's daily wages low.

Sully, under a monarch who was truly the father of his people, is celebrated for the protection he afforded to agriculture; while Henry the Great, on his part, is celebrated for having established, contrary to the opinion of Sully, certain manufactories: it has been said, not without reason, that the latter had a clearer sight than his minister. Colbert has happily blended the great aim of each; and Colbert has notwithstanding been blamed.

But when such a system is pursued, what becomes of liberty?

No one can be more sensible than I am, that liberty is the soul of commerce, which restraint kills:

kills : but what liberty is that which must necessarily lead to the ruin of the country ? Is the farmer not free, because he is deprived of the power of starving the unfortunate peasants who work for him ? If liberty is to be made the instrument of homicide, slavery is certainly an hundred times preferable.

Since, however, the freedom of the cultivator is so much contended for, it appears to me that that of the poor labourer should not have been left out of the account, since it is he who bedews the earth with the sweat which falls from his brow. What would become of the former unless for the toil of the latter ? I recollect a period when the laborious class gained a comfortable livelihood by weaving, and refused to quit their looms for the plough-share, until at length they were constrained to do so by an *édict* of the parliament of the province. Now, who has the greatest reason to complain of the want of liberty, the farmer or the peasant ? Why were there not on that occasion, remonstrances in favour of the liberty of the people ?

Besides, what is here meant by the words *liberty* and *property* ? To whom does France belong ? To its own inhabitants, or to the inhabitants of Germamy ? Or is it the birth-right of the French, or that of the people of Algiers ?

It

It is the country of Frenchmen of every description—it is their mother, and is bound to nourish them. As surely as the soil is theirs, so are the fruits and productions it supplies; and to these they have unquestionably the first right.

Now what becomes of this right, of this property, if foreigners dispute it with them? And why does the cultivator call on the husbandman to consume his fruit, his eggs, his butter, his cheese, his turkies, his hay, his barley, &c. &c. and refuse to enter into a commerce with him for the most indispensable article of life? The latter rids him of articles which he cannot export; and it becomes the more his duty, through a motive of gratitude, that he should sell to the other the only commodity that can bear exportation.

But, after all, is it true, that the culture finds an advantage in the foundation of export? I say the *culture*, or the tillage, not the *cultivator*, for particular care ought to be taken to distinguish them. In the tillage I see the noblest and first of arts: in the cultivator I can recognize merely a kind of mercenary, who obtains from an intendant or a proprietor, for a certain pecuniary consideration, permission to work and enrich himself. Culture is our common mother; while the farmer is no other than a simple

simple citizen, who earns his bread as most other citizens do.

Were the land in France to be the property of the cultivator, he would without doubt gain in proportion as corn should be dearer, or his lands better cultivated: but in the present state of things, I can perceive, that the dearer corn is the more the rent of farms is enhanced. The farmer who has enriched himself, when he finds that his rent is raised, quits his farm and lives on his savings. His wretched successor torments, fatigues, vexes, and exhausts the land to make it bring more than it will bear. If the corn continues to be sold, at what in the phrase of the writers on economics is termed a *good price*, he pays his landlord, and contrives to support himself. If on the contrary it sells for less than this pretended *good price*, the farm is half ruined, and the cultivator wholly so. Thus can nothing, according to my opinion, be more disastrous than this fine system.

Let me conclude. To act sagaciously on so nice an occasion, I maintain that the first step ought to be, to determine with precision, how many individuals there are in France, and how many septiers of corn are produced on an average yearly. As such an investigation appears to be far too arduous for our national levity, it is probable

ble that there will be a considerable lapse of time before we shall be enabled to ascertain whether we have too much, or too little corn, whether we ought, or ought not to sell. And as such an experiment, should it fail, would infallibly be fatal to the existence of a number of citizens, and would ruin many others, I am of opinion that it would be wise, and above every other consideration humane, to seek every means by which so disastrous an error may be shunned.

It also strikes me, that the price of corn ought never to be fixed.

First, because the proprietor having it at his option, either to let or refuse his farm at such or such a price, the farmer ought also to be free to give his commodity at such or such another price; and this is the liberty which is his due. But as the man who labours and endures fatigues is a Frenchman, as well as the nobleman who does nothing, or the lawyer who multiplies stamps upon paper—as this indigent individual is truly the child of the earth, since by him the earth is fertilized, the least he has to expect is that her productiveness should support him. Thus ought care to be taken, by a wise circumspection, that on the one hand, bread shall not be too dear for the poor, and on the other hand, that it shall not be sold at so

low a price as to distress and ruin the cultivator. Again, as the lower class can live at a small expence, manual labour should not be too well paid: and this latter regulation would make our manufactures flourish, and preserve good order.

I am therefore of opinion, secondly, that the price of the septier of wheat may vary from fifteen to thirty livres: the poor man and the cultivator will each of them find the benefit of it, according as the price shall be more or less distant from these two extremes. Our commerce would infallibly feel the benefit of such a plan. And,

Thirdly, I am finally of opinion that the municipal bodies ought to be enjoined to collect and store up this commodity whenever it shall be sold at a very low price. This expedient ought to be entercd on with much prudence and circumspection. If France could one day succeed in storing up in magazines a supply of corn for about half a year, I think that the exportation which has crazed so many heads might then be allowed. Indeed, as soon as bread should become excessively dear, it would be merely necessary to shut the ports, and open the granaries. The merchants and speculators would then find themselves in the predicament of

of selling at a loss, and would be very careful in future how they should engage in so precarious a commerce ; and France having stored up an abundance sufficient to provide against every emergency, the purses of the speculators would not be weighty enough to purchase such a quantity of corn, as could produce the disastrous consequences by which alone they can be enriched.

TRADING SOCIETIES.

THE spirit of national industry was the principle which actuated Holland. In such a state the people easily mistake a wish to mend their fortunes for a lively attachment to the maintenance of the constitution. Religious, civil, and economical liberty constantly flourishes in trading societies, on this account that the sole attention of the state is occupied by the preservation of public credit. A trading company evinces how far the combinations of the spirit of commerce can be carried. The East India company exercises all the rights of sovereignty on the coast of Malabar, and in the India seas. Here then are merchants who exercise a real despotism, but who in their intercourse with each other adhere to the laws of distributive justice.

The establishment of this company is no burthen to the state, the expences of which it rather serves to lessen.

Political industry has besides undertaken to direct the spirit of private interest. The latter constantly giving to the human mind a vigorous impulsion, the state ought not to trench on its natural privilege, nor to feel the smallest portion of jealousy at the riches and power of a company of merchants, who, while they are undistinguished merchants at home, are suffered to be the sovereigns of India. The independence of the state has nothing to dread from commercial men, who by the union of their credit and riches add to its strength.

The Dutch merchants were regarded as their deliverers, by the Indians wearied with the haughty domination of the Portuguese and Spaniards. This is what enabled the former to establish and fortify themselves without difficulty in every part of India : they had rather to combat the jealousy of the Europeans, than the combinations of the Indians.

The observations I now make respecting commercial companies, are founded on the present state of things : so far as regards my own individual opinion, I am very far from approving

of

of the mode in which these companies have been formed. The principle of them is invariably bad ; and it is highly repugnant to reason and good sense, that sovereign authority should be placed in the hands of a merchant, or of a clerk—and that a throne should be erected in a shop or writer's office.

These rajahs, with a clothier's yard for a sceptre, notwithstanding all the riches they possess, excite my pity. It is a profanation of the sovereignty to divide it into so many hands, to subject it to the caprices of a company of merchants, and to convert it into an instrument to satisfy their cupidity. Royalty is made to command, not to be a slave : it should wear a crown, and not roll casks of pepper ; its balance should weigh the interests of nations, not gums and canella. I am an emperor, said Theophilus to his wife Theodora, and you make me a pilot of a galley. He was perfectly in the right, since it is not becoming in a sovereign, who is the father and guardian of the laws, to submit to any degree of degradation. What subject would wish to treat with the clerks of him who is superior to the law ? What would besides become of the people, if the prince were to employ the public revenues and the sovereignty in commerce ? and would not commerce itself be annihilated ?

If Solomon sent a fleet to Ophir, he did it as a monarch, not as a merchant: he wished to excite the emulation of his people, and to encourage their industry; to clear for them a road, not to dispute one with them. If the Medici employed commerce for their elevation, they did not descend from sovereignty to become merchants.

I am an advocate for a company, since for a very distant traffic a company is necessary: I am of opinion, that it should enjoy an exclusive privilege, since otherwise it cannot flourish; but I think that this company ought to be united with the sovereign and the nation. This junction is not so impracticable as may be apprehended, and I can take upon me to assert, that it would be pre-eminently just, and far more perfect than any of the present companies.

By this wise mean, brought to its true point of simplicity, the monarch would preserve in an integral state the right of commanding, which does and must belong to him alone. The exclusive privilege, which can at the most be granted to the authors of certain new inventions, and that only for a time, but which will always be repugnant when granted by the sovereign to a few individuals, to the exclusion and detriment of almost the whole of his people, who

who have the same claims on his bounty, the exclusive privilege, I say, would no longer be either unjust or revolting, since the whole nation might and would effectually participate in its advantages. On its side, the company would uncontroversibly be more perfect, richer, more powerful, and more just than any of those that now exist. It would at the same time belong to the king and his people, so as to fulfil all the conditions required by the strictest justice, the sacred rights of sovereignty, and those not less sacred ones of the people, whom a monarch ought at no time to exclude from his beneficence, since he has been so often represented emblematically as the sun, which warms every human being, and dispenses his light indiscriminately to all.

The treaties on commerce without exception, and all the dissertations on the object of this chapter, the offspring of the puzzled brain of short-sighted politicians, resolve every thing into this one word, liberty. Merchants burn your parchments; your conventions are ridiculous: let each pay according to his own fancy, and each will be rich; for no one willingly embraces poverty, and no one knows better than he who contracts what is meet for him.

Spain, to cement her grandeur, has, in a
H h 4 manner,

manner, converted South America into a desert, and has destroyed nearly the whole of the old inhabitants : she has held it more expedient to murder than to civilize them, to destroy than to govern them. The consequence has been, that, after the lapse of a short period, she found herself in possession of an immense, but devastated, country ; of abundance of valuable productions, without hands to collect them ; and of inexhaustible treasures, without those who should explore them in the bowels of the earth.

To possess gold and silver, she has destroyed what is far more precious—men. She has in the issue been obliged to depopulate herself to repeople her conquests, to purchase at a prodigious expence the human species she had before annihilated without knowing its utility, and to substitute for men polished and civilized, such as were the Mexicans and Peruvians,—to men under the controul of princes, laws, and religion, the negroes she has been obliged to purchase and transport at a prodigious expence from the coast of Africa to America.

Thus has she destroyed, first the conquered country, and afterwards the one by which it was subjugated. Vain of her treasures, she would not take the trouble to give them a real stamp of value by commerce, but surrendered the

the advantages she might have derived from them, to other nations which, by their *industry*, have made them theirs : she saw nothing but the mines ; the men escaped her notice. She was soon afterwards obliged with the greater part of her mines to purchase men.

Holland, on the contrary, in a territory either discovered or conquered, first sought men and commerce ; afterwards gold and valuable commodities. Desirous to be the sole possessor of certain precious articles, spices, she did not destroy the inhabitants of the regions that produce these spices, but obliged them to root up a part of the trees that bear them. It was not her aim to be the sovereign of so vast a territory, but merely to possess in it a powerful establishment, viewing the inhabitants as neighbours and friends, not as slaves. Humanity revolts at slavery, and insensibly accustoms itself to the neighbourhood of people who have altogether different manners, different laws, and different gods. And is not this proximity itself the work of nature ? In her foreign settlements, Holland is securely established by fortresses, and has contracted alliances : her plan has been to render herself the arbitress, not the sovereign ; and she has left her friends, the aborigines, in possession

possession of their princes, their laws, and their religion.

She has thus been the preserver of men, and consequently of the wants of men, of those wants which constitute commerce. She has taken their commodities, and has given them her own in exchange ; she has supplied the inhabitants of Europe with the productions of Asia, and those of Asia with the productions of Europe ; she has clad Asia with the manufactures of Europe, and Europe with the manufactures of Asia ; and, sovereign arbitress of all these exchanges, she has rendered herself the general commercial agent of the known world, the centre of commerce, and consequently of wealth, and the channel through which all the riches of the four quarters of the globe necessarily pass.

OF CERTAIN CANTONS STILED REPUBLICAN.

HOW strangely terms are abused ! I have seen cantons stiled republican *, abandoned to all the luxury of monarchies, and the baseness of despotical governments. Nothing republican

* Berne, Fribourg, Lucerne, Soleure, Geneva, &c.

can be found in them unless the name they carry: their precepts are the most rigid possible, and corruption has its fullest scope and triumph, while the usages are altogether contrary to the spirit of the old constitution. These little cities hold out to the view a cupidity covered by the slightest mask ; and it is a matter of utter astonishment to observe and contemplate a city containing ten thousand souls, which not long since displayed the finest and most heroical sentiments, universally infected by a leaven of servitude.

Thus do new manners suddenly found a new constitution. It is no longer a republic, in which a multiplicity of springs produce an *unique* movement ; it is the class of the rich, who more or less oppress that of the poor ; and the latter merit their fate, since they, in the first place, sold themselves, and afterwards put too high a price on their dependance.

Riches introduced into a small republic change its institutions : they are at least the principal cause of the metaphysico-political jargon we observe, and which those whom it concerns alone refuse to see, to exculpate themselves from a charge of obstinacy and voluntary error.

In these republics the popular assemblies are tumultuous in the extreme, and of no efficacy
in

in their deliberations : prejudices founded on the vilest habits maintain in them their ascendancy, while the public utility is consulted by no general view. What irrefragably proves that the small number* ought to rule the great, is that humanity is never less consulted than in very numerous assemblies, where the passions maintain a strife, and secret enmities are fomented. To the end that any thing beneficial may result from the deliberations of these large assemblies, it is necessary that two or three individuals should by a resolute tone command the rest : it is not the number which decides, but a few men of a vigorous temperament of mind ; and it unfortunately occurs most frequently, that to this ascendancy of talent an intriguing and dangerous spirit is annexed.

A multitude is frequently assembled to pronounce an opinion on what it does not understand ; and it is fortunate in such a case if the good sense of a single individual decides more justly than the aggregate mass of citizens could have done ; for the many are not fitted to weigh public affairs.

When a large assemblage has to determine on

* By the *small number*, I wish always to be understood the *representative government*.

what belongs to slow reflection, the mind of each individual is heated, and the true point of view is lost. Can the multitude daily examine into the defective parts of the political machine ? Will it seek out, will it make choice of agents always in a capacity to fill up the deficiencies ? Will it call to mind the events by which the principles ought to be changed ? Will it so consult times and seasons as to avoid confusion ? and, lastly, Will it maintain a certain equilibrium between all the parts ?

If it is become the practice of modern governments to do every thing by letters, by which audiences, journies, and a profusion of unnecessary words are dispensed with ; if the language of the administration ought to be firm and precise, can this knowledge be expected from a large assembly in which each individual must needs have something to say, and which entrusts the most important secrets to a confused and heterogeneous multitude.

The people should have representatives : for their own security they ought not to act for themselves.

Popular assemblies are strangers to reason, and know not pity. They support an injustice in the first instance by that obstinacy, which is the leading characteristic of an ignorant croud.

In these assemblies two or three individuals shelter themselves behind the rest, and, confident of impunity, harass and oppress their fellow citizens: as they are dispensed from any justification of the measures they direct, from any public investigation, they become infinitely more brutal, daring, and wicked, than if they could be called on to justify their conduct as simple individuals.

OF THE LANGUAGE OF LAWS.

IT is always adviseable that a law should illustrate itself. It must command obedience; but ought to avoid an imperious tone, especially when it emanates from a single man. We love to see the monarch respect the power of written reason, and explain the motives of a new decree. We are unwilling to believe that the preamble of an edict is only a snare of oratory; and as nothing more effectually exalts the majesty of the throne, than the language of justice and the desire of public utility, there arises from thence, in every breast, a soothing reflection that, if the monarch were to be misled, he would not continue inflexible.

But

But if the law emanates from a senate, it ought to be the more solemn, in proportion as it must be more deliberately weighed and longer debated; and consequently the legislation ought not to descend into a detail of the motives which rendered the act expedient. It should appear more imperious than when it proceeds from the mouth of a monarch, because its *inflexible* character must be engraved on the mind of every subject.

In no case can a law dispense with precision, reason, and clearness; when it seems dictated by nature, when it addresses rational beings, it will be adopted as soon as it evinces the pure intentions of government. The citizen, a friend to good order, will rejoice to behold that blessing secured, whenever its interruption shall be provided against.

The force of reason will ever be the most powerful agent in all human legislations.

Laws should never threaten; for threats always imply a character of fear or weakness. They should ordain calmly, as if they would, when promulgated, necessarily preclude the possibility of prevarication.

The multitude of edicts, of ordinances, of declarations which repeatedly explain and amend each other, mark the embarrassment of the legislator,

gislator, betray a distempered eye, and strip the laws of their dignity, by showing the murky chaos of little public interests, which have only one aspect.

At Naples the law rigorously inhibited the liberty of marrying. It was armed with severity. What was the consequence of this restraint? Lovers, conceiving they could neither obtain the consent of their parents, nor unbend the rigour of the law, fell upon the expedient of pretending a rape; because, by the laws themselves, the reparation of that crime led directly to marriage. The maid, with her virginity still blooming, complained she had been violated; and as the ravisher must either wed or go to the scaffold, he espoused her. The Neapolitan legislation was obliged to modify the law respecting rapes, and to signify to the courts, that they were prohibited for the future from receiving any accusation of a rape, *unless it evidently arose from a real act of violence.*

When the legislation descends from its dignity to hinder a collusion of this nature, it bears its own condemnation. This one had set death or shame between the two lovers. Public reason obliged it to retract; and what can resist that persuasive voice?

If the legislation attempts to interfere on **every**.

